

**FACULTY AND FAMILY STUDENT HOUSING,
OPEN SPACE PLAN, AND LRDP AMENDMENT EIR**

4.6 LAND USE

Section 4.6

4.6.1 Introduction

Land Use

This section of the EIR describes existing land uses on the North and West Campuses and analyzes the potential for implementation of the proposed project to conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan and the local coastal program) adopted for the purpose of avoiding or mitigating an environmental effect.

Information in this section is based upon the 1990 LRDP, the California Coastal Act and its policies, the Goleta Community Plan, the Airport Land Use Plan, and project maps of the area. Full bibliographic entries for all reference materials appear in Section 4.6.6 (References) of this section.

Seven comment letters and eight verbal comments related to land use/planning were received in response to the NOP circulated for the proposed project. The NOP, comments on the NOP and a summary of issues raised during scoping are included in Appendices A and B.

Comments on the NOP included suggestions that the EIR address: 1) coastal land use laws and policies; 2) preserving open space through project design and open space management; 3) maintaining the South Parcel as open space and rezoning the Ellwood Marine Terminal as open space; 4) reducing density on the North Parcel near Cannon Green; 5) density issues of the North Campus Faculty Housing compared to the surrounding neighborhood; and 6) the relation between the amendment in the 1990 LRDP for 50 faculty-designated housing units and the 1991 Mitigation Implementation Agreement to move 50 faculty housing units from West Campus Bluffs to the West Campus interior.

4.6.2 Existing Conditions

This section provides an overview of existing and proposed land uses in the project area, as well as specific information regarding the University's proposed residential and open space plan components, within the jurisdiction of the University in the Joint Proposal area. Existing and proposed land use designations in the Joint Proposal area, including those lands under University jurisdiction, are shown on Figures 4.6-1 and 4.6-2, respectively.

4.6.2.1 Regional Overview, Existing Jurisdictions, and Governing Land Use Plans

The project area is located south of the City of Goleta, on the south coast of the County of Santa Barbara, along the south-central coast of California. The proposed project consists of the residential development, habitat enhancement and restoration, and preservation of lands owned by the University of California. The Joint Proposal area consists of lands within three different land use jurisdictions: the University, the City of Goleta, and the County of Santa Barbara. Each jurisdiction has its own governing land use plans and policies. UCSB is part of the University of

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Section 4.6 California, a constitutionally created entity of the State of California. As a constitutional entity, the University of California is not subject to municipal regulations, such as County and City General and Community Plans. Goleta and other surrounding communities are part of the County of Santa Barbara, and this jurisdictional separation provides no formal mechanism for joint planning. Nevertheless, this EIR provides a discussion of the consistency of the proposed project with the Goleta Community Plan (GCP), which included the West Devereux property. The West Devereux property was purchased by the University in 1994 and designated as the UCSB North Campus. Upon purchase of the property in 1994, jurisdictional authority for the area transferred from the County to the University. As the discussion below indicates, the GCP identified the West Devereux property (now the North Campus) as residential and open space land uses, and the proposed project is generally consistent with this local plan.

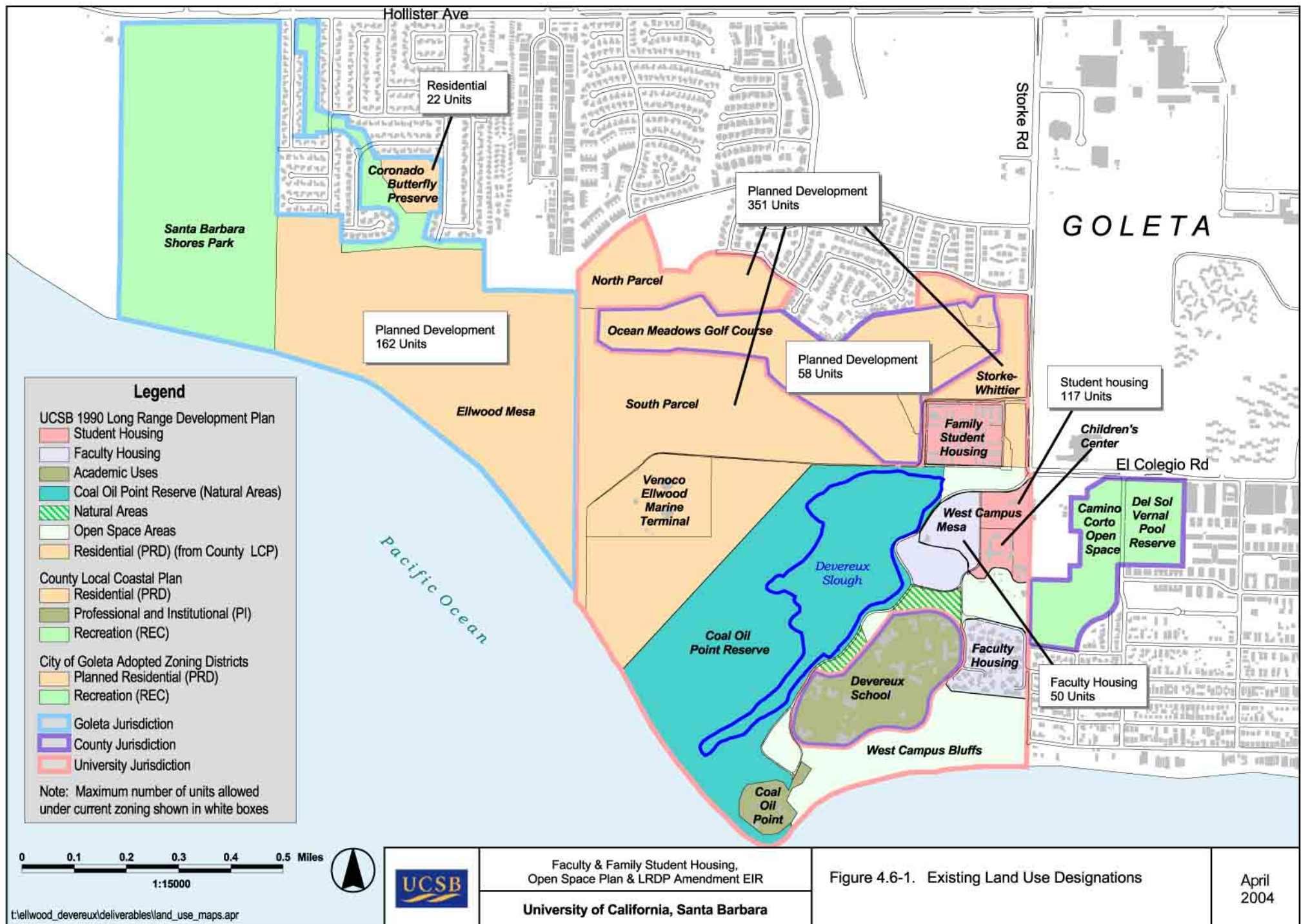
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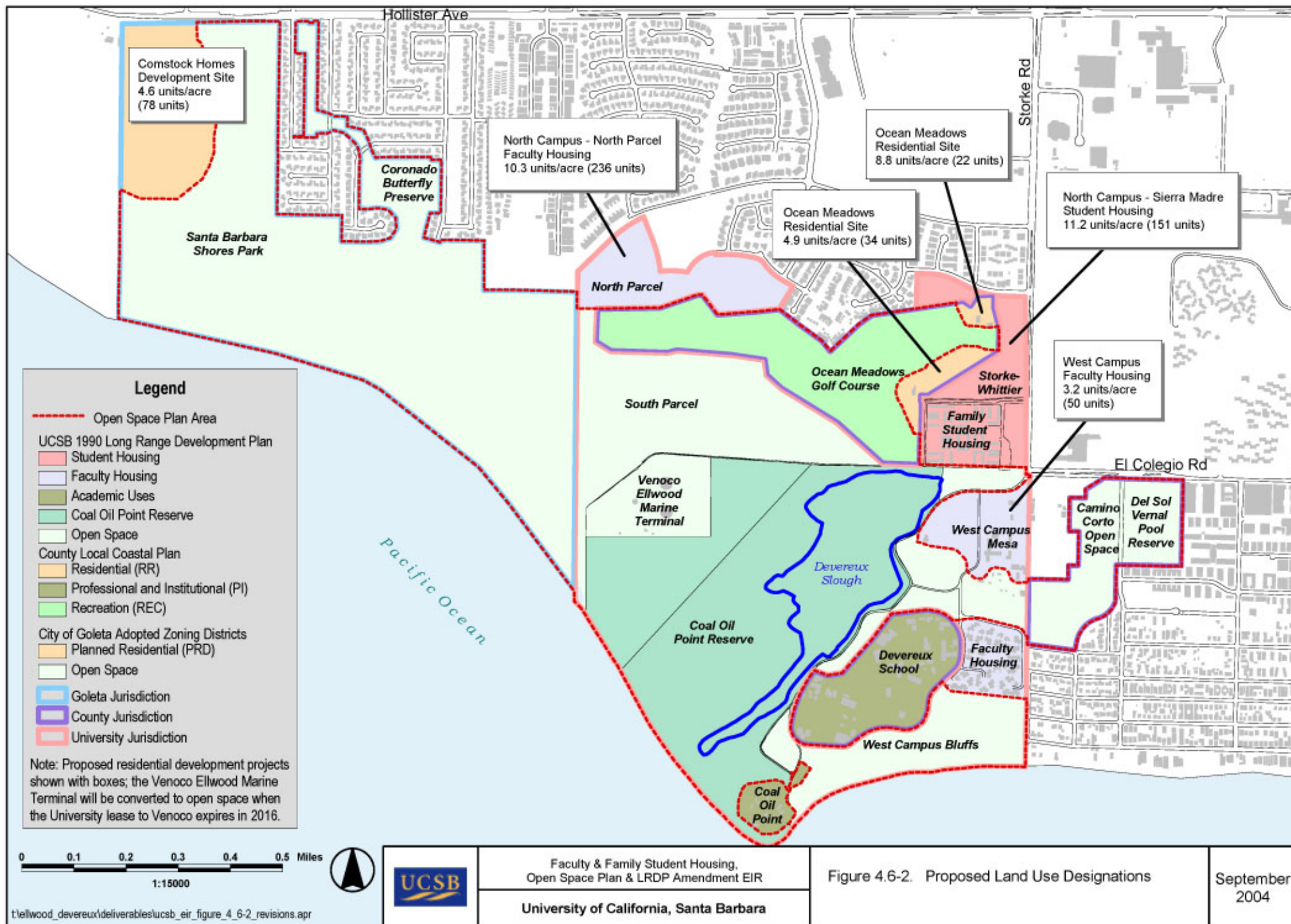
All campus land use and open space management decisions are governed by its 1990 LRDP, as amended. The Office of Campus Planning and Design is responsible for preparing and updating the LRDP. However, any amendments to the LRDP are reviewed by numerous campus and University committees, approved by the campus Chancellor, and submitted to The Regents final University approval. LRDP Amendments are subsequently submitted to the CCC for approval.

Under California state law, the 1990 LRDP is equivalent to a local agency, general and coastal plan, and is the policy document that guides the physical development of the campus. The 1990 LRDP identifies the physical development needed to achieve the campus's academic goals, provides a land use plan to guide the location of future facilities (UCSB, 1990), and addresses development locations and type, open space, sensitive habitat protection, and recreation. Proposed campus development projects must be consistent with the policies and requirements of the 1990 LRDP. In addition, because the entire campus lies within the Coastal Zone, its LRDP also serves as the Local Coastal Plan (LCP) for the campus and is subject, under the California Coastal Act, to final consistency approval by the California Coastal Commission (CCC). As part of this consistency review, the California Coastal Act requires an analysis of the LRDP's consistency with all other affected agencies and LCPs. A discussion of the consistency of the proposed project with the policies of Chapter 3 of the California Coastal Act is provided below.

4.6.2.2 Joint Proposal for the Ellwood-Devereux Coast

The project area is part of the planning area described in the *Joint Proposal for the Ellwood-Devereux Coast*, dated March 2002. The Joint Proposal area is bounded by Hollister Avenue and the Ellwood and University Village neighborhoods to the north; the Pacific Ocean to the south; Storke Road, Storke Ranch subdivision, and the community of Isla Vista to the east; and the Ellwood Mesa to the west. Figure 2-1 shows the Joint Proposal area, including the proposed residential and open space plan developments within each jurisdiction.





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The proposed residential developments in the Joint Proposal area that are currently under review include: 1) the proposed Ocean Meadows Residences (on the existing Ocean Meadows Golf Course) and the proposed Open Space Plan components within the Camino Corto Reserve, Del Sol Reserve, and the Devereux School site within the County of Santa Barbara's jurisdiction; 2) the proposed Comstock Homes Development, the proposed Ellwood Mesa Open Space area and Open Space Plan components, the Coronado Preserve, and the Goleta Union School District Site areas within the jurisdiction of the City of Goleta; and 3) the proposed LRDP Amendment of the North and West Campus, including development within the University's jurisdiction, including residential development on the North Campus (North Parcel and Storke-Whittier) and West Campus areas and Open Space Plan components on the North and West Campuses. These areas of development within the University's jurisdiction are identified on Figure 2-1.

The Joint Proposal is the result of an unprecedented public-private cooperative effort to guide development of the last remaining open coastal lands in western Goleta. The purpose of the Joint Proposal is to provide an open space, habitat, and development plan that avoids and mitigates the potential impacts of development within the area, and that is, on balance, most protective overall of sensitive natural and coastal resources. The Open Space Plan encompasses 10 properties, which are currently under multiple and private owners and jurisdictions. It provides the opportunity to plan the preservation, management, and development of the Ellwood-Devereux area in a comprehensive rather than piecemeal fashion. Comprehensive planning would allow improved public coastal access and the preservation and enhancement of 652 consolidated acres of recreational and natural land as well as marine environment resources. Potential development would be reduced from 760 to 570 units, and future University and private residential development would be clustered adjacent to existing development and infrastructure as well as employment centers.

The Ellwood-Devereux area is part of the lower Devereux Creek watershed, also known as the greater Devereux Slough regional ecosystem. Development is presently allowed in various locations throughout the area. Under existing plan and regulations, development may occur close to sensitive habitat areas and the most valued recreational lands, while less valuable lands are designated as open space. If development moves proceed under existing plans, policies and approvals islands of development would fragment open space, disrupt coastal access, recreational use, and the overall ecosystem in the area, even taking careful planning and mitigation into account.

The Joint Proposal proposes to protect the resources in the area by relocating development potential away from coastal areas to the northern perimeter of the area where it would be clustered contiguous to existing development, roads, and services. Through the transfer of development rights from the Ellwood Mesa and the South Parcel of the University's North Campus, to the areas on the north side of Santa Barbara Shores Park and Ocean Meadows Golf Course, a 652-acres area could be permanently preserved as open space. Without the relocation coordinated by the three participating jurisdictions and the cooperation of private property owners, the benefits of preserving contiguous open areas could not be achieved.

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Section 4.6 The proposed project's development of 236 units of faculty and 151 units of family student housing on the North and West Campuses, as well as the improvement of coastal access, restoration of degraded habitat (including restoration and preservation of the South Parcel of the North Campus), and management of coastal resources within Open Space areas under University jurisdiction are consistent with the Joint Proposal.

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4.6.2.2.1 Airport Land Use Plan. Portions of the project site are within the Airport Land Use Plan (ALUP) prepared by the Santa Barbara County Airport Land Use Commission (ALUC). The Public Utilities Code (State of California, Public Utilities Code, Article 3.5, Section 21674) gives the ALUP the ability to “assist local agencies in ensuring compatible land uses in the vicinity of existing airports to the extent that the land in the vicinity of such airports is not already devoted to incompatible land uses.” Land use issues associated with airports include concerns related to the height of structures for navigational reasons and the structure occupants (i.e., the specific land use) related to safety concerns. In general, residential uses are generally considered poor adjacent to airport areas, and particularly under approach zones because of both noise and hazard (Caltrans, 1976).

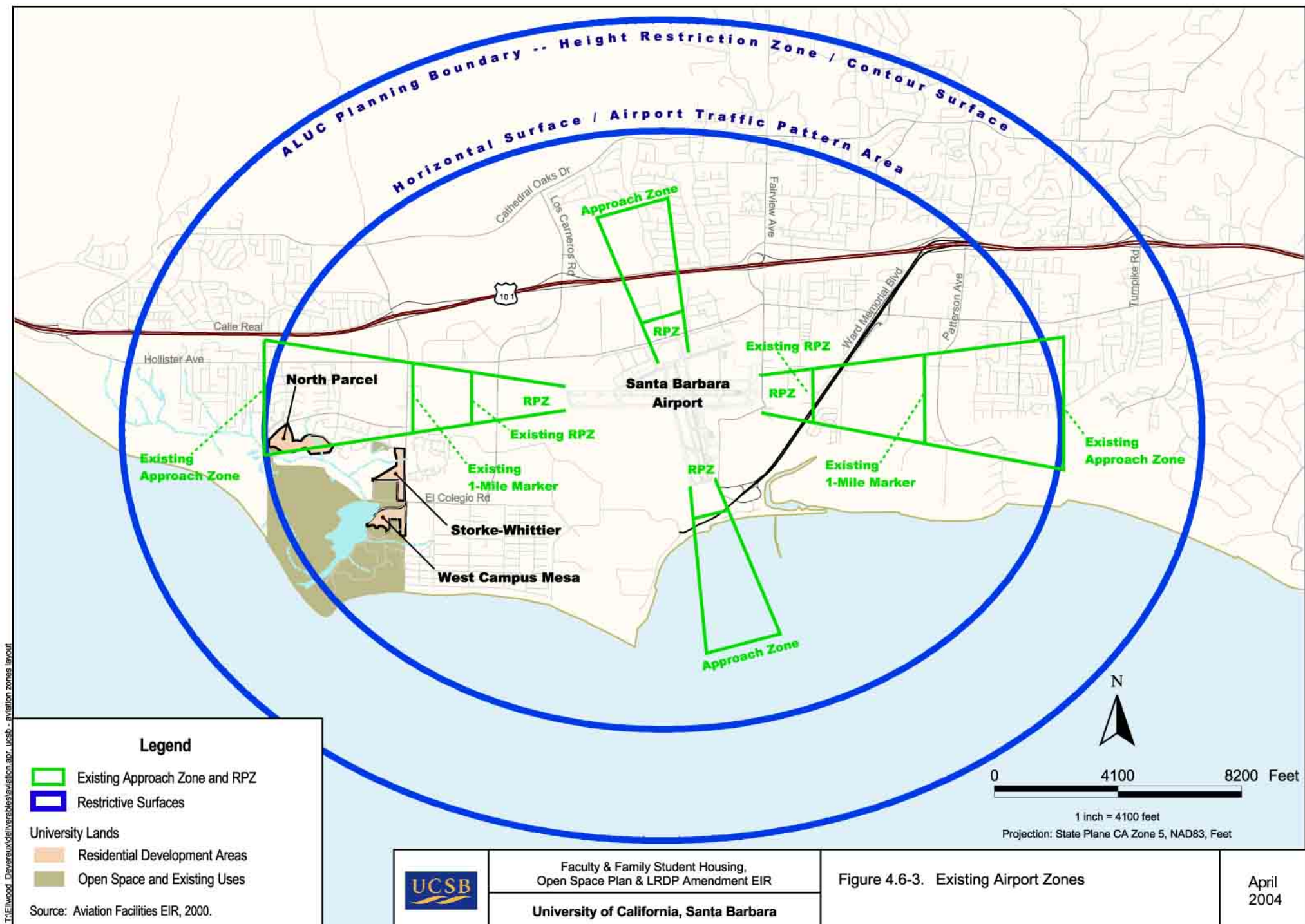
To ensure land use compatibility between a County airport and the surrounding area, the Santa Barbara County Airport Land Use Plan (ALUP, 1993) imposes land use restrictions on defined areas adjacent to the airports. The ALUC review process is applicable to projects under the jurisdiction of the ALUC; however, under California law, the University is not subject to ALUC policies.

The ALUC has identified planning boundaries around each airport. The area within these planning boundaries is referred to as the Airport Influence Area (AIA). The AIA is divided into three zones: Zone 1, where policies on height restrictions apply; Zone II, where policies on height restrictions and safety apply; and Zone III, where policies on height restrictions, safety, and noise apply. The Santa Barbara Airport is in the process of completing the Runway Safety Area and Runway Relocation project, which would expand the AIA. This project is anticipated to be completed within three years. Figure 4.6-3 identifies the existing AIA with respect to the University's proposed development.

The faculty housing site is located within the existing and future Zone II. Zone II is further subdivided into three safety areas based on degrees of hazard, with land use restrictions greater in areas closer to the airport. The faculty housing site is located in part of Safety Area 2, also referred to as the Approach Zone.

Within Safety Area 2 (Approach Zone), the ALUC has identified incompatible uses as:

- All residential construction within one mile of the runway end except new single-family construction on existing recorded parcels and rebuilding and alteration which will not increase density



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Figure 4.6-3. Existing Airport Zones

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Non-residential uses within one mile of the runway end which would result in large concentrations of people such as, but not limited to, shopping centers, schools, hospitals, or stadiums Section 4.6
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- Hazardous installations such as oil or gas storage
- All project proposals in Safety Area 2 within one mile of the runway end, and proposals which would result in large concentrations of people in Safety Area 2 more than one mile from the runway end shall be reviewed on a case-by-case basis by the ALUC
- Height limitations vary based on the proximity of the site to the runway, and are based on the Federal Aviation Regulations (FAR) Part 77

The Sierra Madre Family Student Housing site and the Open Space Plan area would be located outside of the existing and future Approach Zone.

4.6.2.3 North Campus

The North Campus consists of the following three sub-areas: North Parcel, South Parcel, and the Storke-Whittier Parcel. Because the North Campus property was acquired by the University in 1994, the 1990 LRDP did not address land use in this area. However, in 1998, the University adopted an amendment to the 1990 LRDP to extend existing campus policies (including coastal policies) to these newly acquired campus areas. Prior to acquisition by the campus, this area was included in the County of Santa Barbara's GCP, which was adopted by the Coastal Commission into the County's LCP in 1993. However, the GCP does not provide zoning for the North Campus, as described above, because the North Campus is within the University's planning jurisdiction, and the University, as a state entity, is not subject to local zoning regulations. However, the University's proposed development is intended to be generally consistent with the GCP.

4.6.2.3.1 North Campus—North Parcel. The North Parcel consists of approximately 30 acres of undeveloped land that is located south of the western terminus of Phelps Road, and south and west of the western terminus of Marymount Road. It is bounded by Phelps Road, medium to high-density residential development to the north, including the Canon Green Condominiums, Ocean Meadows Golf Course to the south, the University Village neighborhood to the east, and townhomes and Ellwood Mesa to the west. It is currently undeveloped. A number of informal trails cross the parcel that link to locations along the Ellwood Mesa and University property. The GCP identifies the North Parcel as part of a larger area that is designated for Planned Development (PD) up to 351 residential units. The 1990 LRDP, as amended in 1998, designates the North Parcel for the development of up to 147 units of faculty housing.

The project proposes an LRDP Amendment to enable the development of 236 units of faculty housing on the North Parcel, as well as trail connections from the faculty housing complex to the Open Space Areas. Refer to Section 2.0 for a detailed description of this development.

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4.6.2.3.2 North Campus—South Parcel. The South Parcel consists of approximately 71.5 acres of undeveloped land, with the Venoco Access Road and power transmission lines situated along its southern border. The Ellwood Marine Terminal facility, located to the south of this parcel, currently contains oil storage and transportation structures. Like the North Parcel, a number of trails cross the parcel that linking to the Ellwood Mesa and other University property. The GCP identifies the South Parcel as part of that same larger Planned Development area as the North Parcel. The 1990 LRDP, as amended, designates the South Parcel for up to 122 units of faculty housing.

The proposed LRDP Amendment includes development of Open Space Plan amenities on the South Parcel, and designation of the South Parcel as permanent open space. Refer to Section 3.0 for a detailed description of this development.

4.6.2.3.3 North Campus—Storke-Whittier Parcel. The Storke-Whittier Parcel consists of approximately 14.8 acres of undeveloped land and is located west of Storke Road, north of the existing University Family Student Housing, south of Whittier Drive, and surrounding the easterly portion of Ocean Meadows Golf Course. The Ocean Meadows driving range is situated on a portion of the site. The portion of the site on the corner of Storke Road and Whittier Drive is designated for multiple unit residential development of 1,450 square feet or more under the GCP. The balance of the parcel that is adjacent to Storke Road is identified as part of a larger area that is designated for PD. The 1990 LRDP, as amended, designates this site for up to 144 units of family student housing.

The proposed LRDP Amendment includes development of 151 units of family student housing, as well as trail connections from the housing to the Open Space Plan area on the Storke-Whittier site. Refer to Section 3.0 for a detailed description of this proposed development.

4.6.2.4 West Campus Mesa

The West Campus Mesa is a partially developed area of approximately 48 acres located southwest of the intersection of Storke and El Colegio Roads and adjacent to the Devereux Slough to the west. Current development includes student gardens, the Orfalea Children's Center, and faculty housing. The 1990 LRDP provides for the development of 167 units of faculty and student housing (117 faculty and 50 student units) on West Campus Mesa. The 1990 LRDP also allows for expansion of the Orfalea Children's Center (up to 10,000 additional square feet).

The proposed project does not include development of the 50 units on the West Campus Mesa at the present time, but would not alter the existing LRDP designation of 50 residential units of housing and Open Space Plan-related amenities on the West Campus Mesa. Refer to Section 3.0 for a detailed description of this development.

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4.6.2.5 West Campus Bluffs

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The West Campus Bluffs area is vacant, undeveloped land encompassing approximately 36 acres of scenic coastal mesa. Devereux School and West Campus Point Faculty Housing are located to the north, West Campus Beach lies to the south, Isla Vista is situated to the east, and COPR and Devereux Slough are to the west. The 1990 LRDP proposed construction of 100 faculty units on approximately 27 acres of the site along with a 9-acre Coal Oil Point Park.

As discussed earlier, the 1990 LRDP proposed construction of faculty housing adjacent to the West Campus Bluffs. Following input from the community, the University reached an agreement with the County of Santa Barbara, the City of Santa Barbara and a number of concerned community groups to withdraw the proposal for 50 faculty housing units adjacent to the Bluffs, relocate 50 proposed units to the West Campus Mesa, and pursue alternative sites for the construction of additional faculty housing. The Joint Proposal proposes to locate the additional faculty housing on the North Parcel of the North Campus and amending the LRDP to remove the residential designation for the West Campus Bluffs. However, the Joint Proposal recognizes that if faculty housing goals cannot be realized on the North Campus, the University can revisit the feasibility of constructing faculty housing on the West Campus Bluffs. The proposed LRDP would also include improving the Open Space Plan amenities on the West Campus Bluffs site. Refer to Section 3.0 for a detailed description of this development.

4.6.2.6 Coal Oil Point and COPR

The Coal Oil Point area is a 6-acre headland bounded on the west by Coal Oil Point, to the north and east by the West Campus Bluffs, and to the south by the beach. Existing uses include the 1,500-square-foot Cliff House seminar facility and conference center, with a 50-space unpaved parking lot, a temporary restroom, and a number of old structures along with the COPR Manager's residence and administrative office. Access to Coal Oil Point is via Devereux Road.

The 1990 LRDP provides for the replacement or remodel of the existing Cliff House conference facility (equivalent in size to the existing structure plus consolidation of old outlying structures and building pads). The additional development of public facilities provided for in the 1990 LRDP include a parking lot to serve remodeled Cliff House and the COPR, a permanent or temporary restroom, and a stairway to the West Campus Beach.

The proposed project does not include replacing the Cliff House at the present time, but would not alter the existing LRDP long term plans for the area. Refer to Section 3.0 for a detailed description of this development.

The 165-acre COPR is largely surrounded by undeveloped and environmentally sensitive land. The 17.5-acre Ellwood Marine Terminal area, the North Campus South Parcel, and the Ocean Meadows Golf Course are located north of this area; Sands Beach and the Pacific Ocean are located to the south; Devereux School and the remainder of West Campus is located to the east;

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Section 4.6 and the Ellwood Mesa is to the west. This area includes the historic 125-acre COPR created in
Land Use 1979 and the 40-acre expansion area added by The Regents in 1998. This area supports a variety of habitats, many considered environmentally sensitive under the Coastal Act.

The COPR, including Devereux Slough, is part of the University's Natural Reserve System, and is managed to protect its ecological and academic values. Historic public use of the COPR and nearby beaches extends back decades prior to the University land purchase. The COPR is crossed by a number of trails, and has a long history of public use. Sands Beach is one of the most heavily visited beaches in the County.

All lands within the COPR are designated by the LRDP as environmentally sensitive habitat areas. The Draft COPR Management Plan (COPR Plan) was released in July of 2003. The COPR Plan serves as a guide to manage sensitive resources and enhance the value of the COPR as a research and education area. The COPR Plan describes several programs divided into the following categories: users, habitat conservation, stewardship, and administration. The COPR Plan integrates the policies of the Coastal Act, as stipulated in the 1990 LRDP. A "Snowy Plover Management Plan" has already been approved by the Coastal Commission, and will be incorporated in the final COPR Plan.

4.6.3 Regulatory Framework

This Regulatory Framework section addresses those applicable plans, policies, and regulations of agencies with jurisdiction over the proposed project. As indicated previously, a discussion of the Goleta Community Plan, though not applicable to the Project by virtue of the University's ownership of the property, is provided.

4.6.3.1 Federal

There are no federal regulations, authorities, or administering agencies that regulate the proposed project pertaining to land use.

4.6.3.2 State

4.6.3.2.1 California Coastal Act (California Public Resources Code §30000 et seq.). The California Coastal Act was enacted by the State Legislature in 1976 to provide long-term protection of California's 1,100-mile coastline for the benefit of current and future generations. Chapter 3 of the Coastal Act contains the Coastal Resource Planning and Management Policies of the Coastal Act, which provide a framework of planning and environmental policies to guide the protection of resources as well as development in the coastal zone. Section 30007.5 states that:

The Legislature further finds and recognizes that conflicts may occur between one or more policies of [the Coastal Act]. The Legislature therefore declares that in carrying out the provisions of [the Coastal Act] such conflict be resolved in a manner, which on balance is the most protective of significant coastal resources.

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In this context, the Legislature declares that broader policies, which, for example, serve to concentrate development in close proximity to urban and employment centers may be more protective, overall, than specific wildlife habitat and other similar resource policies.

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Section 30200(b) of the Coastal Act also provides that:

Where the commission or any local government in implementing the provision of this division identifies a conflict between the policies of this chapter, Section 30007.5 shall be utilized to resolve the conflict and the resolution of such conflicts shall be supported by appropriate findings setting forth the basis for the resolution of identified policy conflicts.

The analysis below discusses the consistency of the Project with the policies of Chapter 3, and identifies potential conflicts that may require balancing in order to provide a project that on balance is the most protective of significant coastal resources. Relevant Coastal Act policies are discussed under Impact 4.6-1 below.

4.6.3.3 Local

The GCP is part of the Comprehensive Plan for the County of Santa Barbara. The GCP provides development policies (including the general type and location of land uses) specifically tailored for the unincorporated Goleta area, and identifies measures to implement those policies. All development within the jurisdiction of the County of Santa Barbara must comply with the policies set forth in the GCP. In addition, those portions of the GCP located within the coastal zone have also been incorporated into the County of Santa Barbara's LCP. While lands under the University's jurisdiction are not subject to the GCP, the University has generally based the currently the proposed project on the County of Santa Barbara's existing and approved plans and standards. Relevant GCP policies and development standards are discussed under Impact 4.6-1 below.

4.6.4 Project Impacts and Mitigation

4.6.4.1 Methodology

For the purposes of this analysis, it is assumed that the project would incorporate relevant LRDP policies (identified below) into project design, siting, construction, or operation as appropriate. The compatibility of the proposed project's residential development with adjacent development is analyzed by comparing proposed uses to adjacent development based on use and intensity of development. Project conformance with adopted plans and policies were analyzed by comparing the features of proposed development to those features (e.g., habitat restoration, access, etc.) called for in the relevant policies.

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The Coastal Act Element of the LRDP included a range of policies and standards (herein termed LRDP policies) which ensure consistency of the LRDP, and projects implemented under the LRDP, with the statutory requirements of Chapter 3 of the Coastal Act (commencing with Section 30200). The Project will be developed in conformance with the following LRDP policies relevant to Land Use and Planning.

30250(a).1. As much as feasible, the student housing on the North Campus will be physically integrated with existing West Campus Student Housing both to enhance facilities at the older existing development and to establish a sense of shared community.

30250(a).2. Site planning and architectural design for the residential development adjacent to the Ocean Meadows Golf Course will consider the potential flight of errant golf balls, and avoid siting particularly sensitive uses (e.g., child care, tot lots, etc.) in areas exposed to the flight of golf balls.

30251.5. New structures on the campus shall be in general conformance with the scale and character of surrounding development. Clustered developments and innovative designs are encouraged.

30251.6. Buildings on Main and Storke Campus shall not exceed the height limits established in Figure 15 measured to the ridgeline, except for mechanical and electrical equipment.

30251.6(b). Buildings on North and West Campus shall not exceed 35 feet, except for student housing on North Campus, which shall not exceed 45 feet. Height restrictions are measures to the ridge line and exclude mechanical and electrical equipment.

30253.3. No development shall be permitted on the bluff face, except for staircases or access ways to provide public beach access and pipelines for instructional or research-oriented use.

30210.2. Public access to campus beaches from adjoining beaches and all stairway or pathway access routes mapped in Figure 26 in the 1990 LRDP and Figure 3.0 in the North and West Campus Housing LRDP Amendment will remain open to protect the permanent right of the public for pedestrian access and appropriate recreational uses of the beach at all times, except as provided for in policy number 30210.17.

30210.7. To provide parking for a potential seminar facility at Coal Oil Point, while protecting the area from overuse, parking for no more than 50 cars shall be provided at Coal Oil Point, subject to special permit.

30210.17. Public access policies under this section shall be subject to restriction, as determined by the campus, only when public access is inconsistent with the following: a) public health or safety; b) natural disaster, civil disorders which pose a threat to property, or other such seriously disruptive events; c) extraordinary measures, which are required to immediately avert, alleviate,

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or repair damage to campus property, or to maintain the orderly operation of the campus; *Section 4.6*
military security needs; d) protection of fragile coastal resources; and e) adequate nearby access. *Land Use*

30210.18. The campus shall cooperate with the County of Santa Barbara and the California Department of Parks and Recreation in the proposed expansion of the California Coastal Trail System so long as it is consistent with the environmental constraints of the Coastal Act.

30210.19. Pedestrian access to the sandy beaches upcoast shall be provided by a) the campus from Camino Majorca at the end of Del Playa Drive in Isla Vista; and, b) from the proposed coastal access parking lot at the west terminus of Phelps Road via a trail along the western boundary of North Campus to the beach. Bicycle parking racks shall be provided within Coal Oil Point Park adjacent to Del Playa concurrent with any development of the faculty housing Project. Trail access upcoast along the bluff top should be marked with appropriate directional information and cautions against intrusion into the fenced Reserve.

30221.1. New student and faculty housing projects including those adjacent to coastal bluff top parks will contain recreational facilities and open space so as not to overburden oceanfront recreational areas.

30213.1. Outdoor recreational facilities, including recreation field, and basketball and tennis courts, may be used by the public at no cost, when not occupied by University classes or programs.

30230.1. Development in Coal Oil Point Natural Reserve will be kept to a minimum. Only structures that would be used in conjunction with research in the reserve, or that would enhance the area's usefulness as a natural study area will be allowed, such as weather stations, observation blinds, and small storage structures.

30230.2. The University shall coordinate with and encourage action by the County of Santa Barbara, City of Santa Barbara, and RWQCB to see that adjacent land uses are established and carried out in a manner which will sustain the biological productivity of campus marine resources.

30235.2. No permanent aboveground structures shall be permitted on the dry sand beach except facilities necessary for public health and safety, temporary recreational structures such as volleyball poles and nets.

4.6.4.3 Thresholds of Significance

The following thresholds of significance are based on Appendix G of the CEQA Guidelines. For purposes of this EIR, implementation of the proposed project may have a significant adverse impact on land use if it would result in any of the following:

- Physically divide an established community

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- Conflict with any applicable habitat conservation plan or natural community conservation plan
 - Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the LRDP, general plan, specific plan, local coastal plan, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect

4.6.4.4 **Effects Not Found to Be Significant**

Threshold. Would the proposed project physically divide an established community?

The proposed project would develop faculty and family student housing on the University North Campus. As such, the Initial Study (included in Appendix A of this EIR) determined that the proposed project would not divide or isolate any uses that have been established on or near the project site, and no additional analysis is required in this EIR.

The proposed project would implement the concepts articulated in the Joint Proposal for the Ellwood-Devereux Coast. The Joint Proposal provides the opportunity to plan the preservation, management, and development of 652 consolidated acres of recreational, natural land, and marine environment resources. The Joint Proposal recognizes that although the 10 parcels that comprise the plan area (owned by 24 individuals and agencies and regulated by three separate jurisdictions) are not a developed “community”, they are all part of the lower Devereux Creek watershed, also known as the greater Devereux Slough regional ecosystem, which is recognized as a natural “community.”

This natural community has significant natural resources, yet development is allowed on or near some of the most sensitive habitat areas and most valued recreational lands, while less valuable lands are presently designated for open space. If all current plans were developed, islands of development would be set within open spaces – dividing the natural community and impairing its long-term sustainability. Even with careful planning and mitigation, development would occur on the coastal mesa and among the sensitive habitats including vernal pools and native grasslands. For 20 years development efforts have been fraught with contention over resource protection. Several lawsuits have failed to resolve issues to the owners’ and the community’s satisfaction. Money may be found to purchase one or two individual properties, but it is unlikely that the overall ecosystem can be protected in this manner.

The proposed project would implement the Joint Proposal’s plan to reduce potential development from 760 to 570 units, and cluster University and private residential development would be clustered adjacent to existing development and infrastructure, and employment centers. Accordingly, the proposed project is considered to result in a beneficial impact in that it would preserve and restore an established natural community.

Threshold. Would the proposed project conflict with any applicable habitat conservation plan or natural community conservation plan?

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The proposed project would develop faculty and family student housing on the University North Campus, and improve coastal access and manage coastal resources on the North and West Campuses. As such, the Initial Study determined that the project site is not covered by any applicable habitat conservation plan or natural community conservation plan, and no additional analysis is required in this EIR.

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As noted above, the project area is all part of the lower Devereux Creek watershed, also known as the greater Devereux Slough regional ecosystem, which is recognized as a natural “community” that has significant natural resources and sensitive habitat areas. Implementation of the proposed project, including concentrating residential development adjacent to existing development and restoration of the Open Space Plan area would preserve and restore the natural community. Accordingly, the proposed project is considered to result in a beneficial impact in that it would preserve and restore an established natural community.

4.6.4.5 Impacts and Mitigation Measures

Impact 4.6-1. The proposed project would not conflict with applicable land use plans, policies, and regulations. This impact would be *less than significant*.

Amendment of the LRDP to permit residential development on the North Campus, improve coastal access, and manage coastal resources in open space areas, including restoration of degraded habitat, would not conflict with the GCP, Santa Barbara County Association of Governments, Regional Growth Forecast 2000, Santa Barbara County Air Pollution Control District (SBAPCD), Revised 2001 Clean Air Plan, and Water Quality Control Plan (Central Coast Basin Plan). The development of multi-family housing on the North Parcel ~~would not be consistent with the Santa Barbara Municipal Airport Land Use Plan; however, the University is not subject to regulation by the ALUP~~ could be deemed compatible with the Santa Barbara ALUP. However, the University is not subject to regulation under the ALUP. Nevertheless, the project is consistent with all the applicable policies in the ALUP regarding noise, safety, and height.

Elements of the proposed project may conflict with individual policies of Chapter 3 of the California Coastal Act. However, as recognized in the Joint Proposal and as discussed in the Alternatives analysis of this EIR, conflicts with other individual policies of Chapter 3 would result from implementation of alternatives that allow development to occur as permitted by existing approved plans, regulations, and ownerships. The Joint Proposal reflects a conclusion that: (1) implementation of the proposed project (and the Joint Proposal) resolves the identified Coastal Act policy conflicts in a manner which on balance is the most protective of significant coastal resources, and (2) that the concentration of development through the proposed project (and the Joint Proposal) in close proximity to urban and employment centers may be more protective, overall, than specific wildlife habitat and other similar resource policies in Chapter 3 of the Coastal Act.

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The proposed project would result in development of 236 units of faculty housing on the North Parcel, development of 151 units of family student housing on the Storke-Whittier Parcel, the designation of the South Parcel as open space, and the designation of the COPR Expansion Area as natural reserve. The designations for development of 117 units of housing on the West Campus Mesa would be reduced to 50 units of faculty housing. The designations for a 10,000 gross square feet (gsf) expansion of the Orafalea Children's Center and replacement of the Cliff House (with a structure equivalent to all existing and former structures at Coal Oil Point) would remain.

The amended LRDP would, once adopted by the CCC, serve as the LCP for this portion of the campus. The following discussion provides an evaluation of the proposed residential development and open space plan with respect to the existing governing policy framework for the North and West Campus areas.

California Coastal Act. The potential environmental effects of the proposed new development, as well as measures proposed to mitigate the associated adverse effects, are evaluated in the appropriate issue area sections of this EIR. To the extent that the proposed amendment to the LRDP would result in physical environmental impacts, these changes are subsumed within each specific issue area analysis. The following analysis summarizes these effects, where necessary, for an evaluation of consistency.

Table 4.6-1 addresses the policies of Chapter 3 of the Coastal Act, by article. The proposed project is consistent with all of the policies of Chapter 3, with the exception of the policies contained in 30233, 30240 and 30255, which express a policy in favor of limiting diking, filling, and dredging of wetlands to specific industrial, commercial, boating, and public service uses and only where no feasible less environmentally damaging alternative exists, and where feasible mitigation measures are provided to minimize adverse environmental effects. Residential use is not a use identified in Section 30233.

As discussed earlier, the Coastal Act recognizes that conflicts may occur between one or more policies of the Coastal Act, and where such conflicts occur, calls for "resolution in a manner which on balance is the most protective of significant coastal resources." Section 30007.5. In addition Section 30007.5 expressly recognizes "that broader policies which, for example, serve to concentrate development in close proximity to urban and employment centers may be more protective, overall, than specific wildlife habitat and other similar resource policies." Section 30200(b) further recognizes that "[w]here the commission or any local government in implementing the provision of this division identifies a conflict between the policies of this chapter, Section 30007.5 shall be utilized to resolve the conflict and the resolution of such conflicts shall be supported by appropriate findings setting forth the basis for the resolution of identified policy conflicts."

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BALANCING ANALYSIS

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Because policy conflicts are associated with both with the proposed project, existing use of the project area and the reasonable alternatives to the proposed project (under existing approved plans, policies, and regulations) the following balancing analysis is provided.

Residential development on the North Parcel would result in the loss of approximately 1.54 acres of Coastal Act wetlands and 1.29 acres of ACOE wetlands on the North Parcel due to

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direct removal or hydrological interruption. The Project also includes realignment, reengineering and restoration of Phelps Ditch. Phelps Ditch is a riparian area and is designated as an ESHA. However, it is a manmade flood control channel. Presently, notwithstanding its ESHA designation, Phelps Ditch is considered to have intermediate functionality as a habitat area (WRA, 2004). In addition, impacts to Phelps Ditch will be temporary, and as part of the Project, it will be restored and enhanced. Of those wetlands that would be lost, most have low to medium functionality (WRA, 2004). Implementation of the Project (including the Open Space Plan) would result in opportunities for preservation, enhancement, and/or restoration of numerous acres of wetlands, including vernal pools, freshwater marsh, saltwater marsh and riparian forest within the project area. With mitigation of the impacts associated with residential development, the proposed project would result in an increase of wetlands. The proposed project would also preserve 146 acres of open space and natural reserve on the South Parcel (68.7 acres), COPR Expansion Area (40 acres), and West Campus Bluffs (37.3 acres).

As recognized in the Joint Proposal and as discussed in the analysis of Alternatives, the proposed project will implement the concepts articulated in the Joint Proposal for the Ellwood-Devereux Coast, which is the result of an unprecedented public-private cooperative effort to guide development of the last remaining open coastal lands in western Goleta. The resulting Open Space Plan provides the opportunity to plan the preservation, management, and development of the Ellwood-Devereux area in a comprehensive rather than piecemeal fashion. Comprehensive planning would allow improved public coastal access, and the preservation and enhancement of 652 consolidated acres of recreational, natural land, and marine environment resources.

The Ellwood-Devereux area is part of the lower Devereux Creek watershed, also known as the greater Devereux Slough regional ecosystem. Development is presently allowed in various locations throughout the area. Under existing plans and regulations, development may occur close to sensitive habitat areas and the most valued recreational lands, while less valuable lands are designated as open space. If development moves proceeds under existing plans, policies, and approvals islands of development would fragment open space, disrupt coastal access, recreational use, and the overall ecosystem in the area, even taking careful planning and mitigation into account.

Conservation of the Ellwood Mesa and Devereux Slough as an effectively functioning consolidated and restored ecosystem is more protective of coastal resources than protection of each specific habitat area which, following permissible development, would be isolated and fragmented by development, and would thereby have their sustainability and their value to the overall ecosystem compromised over the long term. While resulting in the removal of certain isolated and degraded wetland areas of low to intermediate functional value (WRA, 2003), the Project (including the Open Space Plan) would improve public access, maintain and enhance recreational resources in the area, protect, restore and enhance the marine environment, protect and enhance area land resources, and locate new residential development contiguous with existing developed areas able to accommodate it, without other significant adverse

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Section 4.6 environmental effects. Articles 2 through 5 of Chapter 3 of the Coastal Act are further discussed
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Article 2 of Chapter 3 of the Coastal Act encourages maximum coastal access for all people. Article 2 expresses policies against new development interfering with public coastal access, and in favor of enhancing public access where possible. Coastal public facilities are to be distributed to mitigate the impacts of overcrowding and overuse. But access must be provided in a reasonable manner that takes into account individual circumstances and that balances private property rights.

Were the proposed project (including the Open Space Plan) not to be implemented, existing uses of the project area that conflict with Coastal Act policies would continue, and development would occur under existing approved plans, policies would continue in a piecemeal fashion, as noted above. Public access through the Plan Area would be discontinuous and interrupted by roads and development, which conflicts with the policies of Article 2 of Chapter 3 of the Coastal Act. The opportunity to further the policies of Article 2 of Chapter 3 of the Coastal Act through an unbroken, integrated, access system through 652 acres of consolidated permanently-preserved and restored open space and natural reserve would be lost.

Implementation of the proposed project (including the portion of the Open Space Plan within the University's jurisdiction) will contribute to the creation of an unbroken, integrated, access system through 652 acres of consolidated permanently-preserved and restored open space and natural reserve which will further public access to coastal resources. It also plans for necessary and improved access infrastructure, including the installation and maintenance of stairs, the reparation of access ramps, and the creation of new low profile improvements such as boardwalks to protect dune and wetland areas. Many trails would be re-graded, ramp and trail surfaces would be improved, and scrub would be trimmed to widen trails. Existing chain link fences would be replaced with more attractive barriers or wood rail fencing, and where multiple informal trails exist, those trails would be closed, and the public would be directed toward designated coastal access points. The installation of permanent restroom facilities and bike racks, and the creation of interpretive centers for education of the public, all distributed in such a way as to minimize the impact of overcrowding. It also contemplates the construction and enhancement of informal seating and overlook areas at key points where desirable views exist. Finally, under the Open Space Plan more than 150 public parking spaces would be added along the perimeters of the open space area (including 84 spaces on University property), and highly visible coastal access signs would be installed.

Article 3 of Chapter 3 stresses the importance of preserving and expanding visitor-serving and recreational opportunities. It seeks to protect coastal areas suited for water oriented recreational activities and encourages the protection of oceanfront land suitable for recreational use.

Were the project (including the Open Space Plan) not implemented, existing uses of the project area that conflict with Coastal Act policies would continue, development would occur under existing approved plans, policies and regulations would occur, and the most significant

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recreational opportunity presented by the Open Space Plan– the opportunity to preserve the unique and irreplaceable recreational opportunity of an unbroken natural open-space area consisting of 652 acres adjacent to the coast – would be lost to residents and visitors alike. The recreational experience of the area would be diminished and interrupted by the proximity of residential development and daily-activity.

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The proposed project (and the Open Space Plan) would further the policy objectives of Article 3 of Chapter 3 by seizing this irreplaceable opportunity while also providing for resource protection. It would plan integrated, permanent recreational opportunities, including an extensive trails network, coastal access, and passive recreation and open space. The amount of permanently preserved open space would increase. The coastal access trails would replace an informal unplanned system and would better protect wildlife habitat areas, with educational opportunities for area visitors. Beaches, already the site of a majority of area recreational activities, would also provide wildlife viewing opportunities, as well as opportunities for surfing, swimming, and other recreational activities. Natural resources would be protected by channeling public use away from the most sensitive areas and by educating the public through interpretive centers and signs.

Article 4 encourages the maintenance, enhancement, and where feasible restoration of the marine environment, including coastal waters, streams, estuaries and lakes. In addition, the biological productivity and quality of coastal waters is to be maintained. As discussed earlier, Section 30233 expresses a policy in favor of limiting diking, filling, and dredging of wetlands to specific industrial, commercial, boating, and public service uses and only where no feasible less environmentally damaging alternative exists, and where feasible mitigation measures are provided to minimize adverse environmental effects. Temporary impacts to resources for incidental public serve purposes are permissible in accordance with Section 30233(a)(5).

The Open Space Plan Area includes approximately 30 acres of seasonal pond wetland areas. These range from high quality vernal pools on Ellwood Mesa, with a high diversity and cover of native vernal pool plants and natural gently sloping topography, to highly disturbed seasonal ponds on lands subject to past grading and ongoing disturbance. Approximately 24 acres would be preserved in the context of 652 acres of consolidated natural and restored open space, thereby promoting and enhancing their productivity and long-term survivability by minimizing the perimeter to area ratio.

Implementation of the broader policy of Chapter 3 (concentrating development in close proximity to urban and employment centers) would require that approximately 1.54 acres of seasonal ponds or wetlands be filled as part of the proposed project with areas used for residential use, which raises a conflict with the policy expressed by Section 30233. These degraded ponds are of low to intermediate biological function and are found primarily on lands that have been graded (WRA, 2003). Although regarded as wetlands and therefore having some habitat value, degraded ponds tend to have lower cover and diversity of native wetland plants than higher quality pools, and many may have residual salt marsh vegetation due to their location on land historically part of the Devereux Slough. Furthermore, subsequent to mitigation, the

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total amount of wetlands will be increased. Realignment, reengineering, and restoration of Phelps Ditch also implicate the policies of Section 30233. Phelps Ditch is a riparian area and is designated as an ESHA. However, it is a manmade flood control channel. The proposed realignment and reengineering appears to be consistent with the policies of Section 30233 as a temporary impact relating to a public service purpose in accordance with Section 30233(a)(5). Notwithstanding its ESHA designation, Phelps Ditch is considered to have intermediate functionality as a habitat area (WRA, 2004). As part of the project, Phelps Ditch will be restored and enhanced.

While the Project may not be consistent with the policies of Section 30233, the Project is considered more protective, on balance, of significant coastal resources, for all of the reasons discussed throughout. If residential development is not permitted in the wetland areas, preservation of wetland resources of limited value would occur at the expense of disrupting the ecological connectivity, and access and recreational opportunities, of a 652 acre consolidated natural and restored coastal open space, and furthering their supporting policies in Chapter 3 of the Coastal Act.

The proposed project (including the Open Space Plan) provides for habitat enhancement and restoration projects for both native habitats and nonnative scenic resources. Special protection will be given to areas and species of special biological or economic significance. Uses of the marine environment will be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

Article 5 of Chapter 3 of the Coastal Act contains policies to protect coastal land resources such as environmentally sensitive habitat areas. It seeks to prevent significant disruption of habitat values, and expresses a policy against allowing uses that are not dependent on those resources being allowed with those areas. As discussed earlier, implementation of the broader policy of Chapter 3 (concentrating development in close proximity to urban and employment centers) would require that approximately 1.54 acres of seasonal ponds or wetlands be filled for the proposed project, with areas used for residential use, which raises a conflict with the policy expressed by Section 30240. Realignment, reengineering, and restoration of Phelps Ditch also implicate the policies of Section 30240. Phelps Ditch is a riparian area and is designated as an ESHA. However, it is a manmade flood control channel. The proposed realignment and reengineering appears to be consistent with the policies of Section 30233 as a temporary impact relating to a public service purpose in accordance with Section 30233(a)(5). In addition, as part of its reengineering and realignment Phelps Ditch will be restored and enhanced as a riparian area. Although Phelps Ditch is designated as an ESHA, “the riparian habitat along Phelps Ditch was determined to be of intermediate functional value when compared to other southern California riparian habitats. The functional value of the habitat to wildlife is lessened due to the extensive presence of humans in the vicinity from the adjacent golf course and access road, the fact that the vegetation was relatively sparse when compared to more undisturbed riparian communities found elsewhere, and the likely presence of feral animals from nearby residences.” (WRA 2004)

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Although the Project may (or may not) be considered consistent with the policies of Section 30240, the Project, and its concentration of development is more protective, on balance, of significant coastal resources, for all of the reasons discussed earlier. Although some may classify all wetlands as environmentally sensitive habitat per se, it is recognized that degraded ponds tend to have lower cover and diversity of native wetland plants than higher quality pools, and many may have residual salt marsh vegetation due to their location on land historically part of the Devereux Slough. Preservation of these resources of limited value would occur at the expense of disrupting the ecological connectivity, and access and recreational opportunities, of a 652 acre consolidated natural and restored coastal open space, and furthering their supporting policies in Chapter 3 of the Coastal Act. While it is important to consider individual environmentally sensitive habitat areas, as expressed by the policies of Article 5 of Chapter 3, allowing the continuation of existing uses within the project area would conflict with Coastal Act policies, piece-meal development would occur under existing approved plans, policies and regulations, and the irreplaceable opportunity to preserve an interconnected ecological system, as well as a consolidated access and recreational asset, would be lost in conflict with the other policies of Chapter 3 discussed throughout.

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The proposed project (and the Open Space Plan) seeks to protect, restore, and enhance land resources by moving development away from the coast. Through concentration of development as encouraged by Section 30007.5, the proposed project (and the Open Space Plan) is more protective, on balance of the significant coastal resources in the area because it will preserve and restore a 652-acre unfragmented Ellwood Mesa and Devereux Slough ecosystem, which is sufficient to provide a wide range of habitat and wildlife values. Consolidation of open space and concentration of development adjacent to existing development will also preserve the interface of multiple habitats that will mutually contribute to one another's survival. Furthermore, aside from the limited disturbance that cannot be avoided consistent with the Open Space Plan's overall goals and opportunities, the proposed project (and the Open Space Plan) ensures development design that would minimize the impact on environmentally sensitive habitat areas, specifically by locating the development at a distance from the majority of those areas.

Article 6 of Chapter 3 expresses policies to guide residential, commercial, and industrial development in the coastal zone. Article 6, restates what the Legislature recognized in Section 30007.5 as the "broader" policy of concentrating development in close proximity to urban and employment centers. The scenic and visual qualities of coastal areas are to be considered and protected as a resource of public importance. The location and amount of any new development in the coastal area is to maintain and enhance public access. Adverse impacts are to be minimized.

As discussed earlier, implementation of the broader policy of Chapter 3 (concentrating development in close proximity to urban and employment centers) would require that approximately 1.54 acres of seasonal ponds or wetlands be filled for the proposed project, with areas used for residential use, which raises a conflict with the policy expressed by Section 30255. Realignment, reengineering and restoration of Phelps Ditch, a manmade flood control channel

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Section 4.6 that is also a riparian area, appears to be consistent with the policies of Section 30233 as a
Land Use temporary impact relating to a public service purpose in accordance with Section 30233(a)(5). Although the Project may not be consistent with the specific policies of Section 30255, the Project, and its concentration of development is more protective, on balance, of significant coastal resources, for all of the reasons discussed earlier.

The proposed project implements the Joint Proposal's intent to reduce area development potential from 760 to 570 units, while providing needed housing for University faculty and students and easing pressure on the Goleta housing market. It would also resolve the reasonable investment-backed expectations of the many private landowners. Uncoordinated development, though avoiding some wetland areas whose preservation is encouraged by the policies of Article 4 and 5, would conflict with implementation of this broader policy, which in the context of the issues, constraints, and opportunities of the Open Space Plan area is more protective, overall, than specific wildlife habitat, and other similar resource policies affected.

By distancing new development from the coast, the proposed project (and the Open Space Plan) will protect the visual qualities of this highly scenic coastal area. All new developments which are part of this proposal have been sited and will be designed to protect views to and along the ocean and scenic coastal areas, to minimize alteration of natural land forms, to be visually compatible with the character of surrounding area, and where feasible, to restore and enhance the visual quality of degraded areas.

The policy, constraints, and opportunities entailed in the Open Space Plan area are diverse and, in identified areas, conflicting. Implementation of the broader policy, expressed by the Legislature in Section 30007.5 of the Coastal Act of concentrating development in close proximity to urban and employment centers is more protective, overall, than specific wildlife habitat and other similar resource policies expressed in Chapter 3 where conflicts have been identified because of the opportunity to modify existing use patterns within the project area that conflict with Coastal Act policies, the opportunity to prevent piece-meal development that would otherwise occur under existing approved plans, policies and regulations, and the irreplaceable opportunity of preserving and restoring an integrated coastal open space ecosystem, and its attendant access and recreational opportunities. Moreover, implementation of Section 30007.5's broader policy of concentrating development in close proximity to urban and employment centers will prevent uncoordinated development and the fragmentation and long-term degradation of 652 acres of contiguous open space and natural reserve, to be preserved in perpetuity, with the ongoing protection and maintenance of the marine, land, and wildlife resources in the area. On balance, the proposed project (and the Open Space Plan) is the most protective of significant coastal resources, including Section 30251 related to protection of visual resources.

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Table 4.6-1. Project Consistency with the Coastal Act

Coastal Policies	Project's Consistency with Coastal Policies
Article I: General	
<p>30200. (a) Consistent with the coastal zone values cited in Section 30001 and the basic goals set forth in Section 30001.5, and except as may be otherwise specifically provided in this division, the policies of this chapter shall constitute the standards by which the adequacy of local coastal programs, as provided in Chapter 6 (commencing with Section 30500), and the permissibility of proposed developments subject to the provisions of this division are determined. All public agencies carrying out or supporting activities outside the coastal zone that could have a direct impact on resources within the coastal zone shall consider the effect of such actions on coastal zone resources in order to ensure that these policies are achieved.</p>	<p>The analysis provided in this EIR considers the effect of the proposed project, including residential development, coastal access improvements, and management of open space on coastal zone resources, and identifies project components and mitigation measures intended to ensure that coastal policies are achieved. Consistent with LRDP policy 30230.2, implementation of the proposed project (and the Open Space Plan) has involved University coordination with the County of Santa Barbara, City of Goleta, and RWQCB to see that adjacent land uses are established and carried out in a manner which will sustain the biological productivity of campus marine resources.</p>
<p>(b) Where the commission or any local government in implementing the provisions of this division identifies a conflict between the policies of this chapter, Section 30007.5 shall be utilized to resolve the conflict and the resolution of such conflicts shall be supported by appropriate findings setting forth the basis for the resolution of identified policy conflicts.</p> <p>Public Resources Code section 30007.5 states:</p> <p>The Legislature further finds and recognizes that conflicts may occur between one or more policies of the division. The Legislature therefore declares that in carrying out the provisions of this division such conflicts be resolved in a manner on which balance is the most protective of significant coastal resources.</p>	<p>Inconsistencies with the policies expressed in Sections 30233, 30240 and 30255 (related to filling of wetlands) have been identified. Accordingly, balancing pursuant to Section 30007.5 is required. Section 30007.5 recognizes “that broader policies which, for example, serve to concentrate development in close proximity to urban and employment centers may be more protective, overall, than specific wildlife habitat and other similar resource policies.” Though they are coastal wetlands, these wetlands affected by the proposed project are degraded and do not have significant biotic value. The proposed project would also enhance and restore wetlands, such that subsequent to mitigation the amount of wetlands would be increased, and 108.7 acres of open space would be preserved as the South Parcel (68.7 acres) and COPR Expansion Area (40 acres). Implementation of the proposed project (and the Open Space Plan) will also concentrate development in close proximity to urban and employment centers which will contribute to the consolidation, permanent-preservation, and unbroken integrated access system through 652 acres of open space and natural reserve, which would otherwise be fragmented and degraded in contravention of various policies in Chapter 3 of the Coastal Act, which will further public access to coastal resources. Accordingly, in this case implementation of the broader policy, expressed by the Legislature in Section 30007.5 of the Coastal Act of concentrating development in close proximity to urban and employment centers is more protective, overall, than specific wildlife habitat and other similar resource policies expressed in Chapter 3 (specifically those policies</p>

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Table 4.6-1. Project Consistency with the Coastal Act

Coastal Policies	Project's Consistency with Coastal Policies
	expressed in Section 30233, 30240 and 30255) because of the opportunity to prevent existing use that is inconsistent with the policies of Chapter 3, the opportunity to prevent piece-meal development under approved plans, policies, and regulations that conflicts with the policies of Chapter 3, and the irreplaceable opportunity of preserving and restoring an integrated coastal open space ecosystem, and its attendant access and recreational opportunities. Implementation of Section 30007.5's broader policy of concentrating development in close proximity to urban and employment centers will prevent uncoordinated development and the fragmentation and long-term degradation of 652 acres of contiguous open space and natural reserve, to be preserved in perpetuity, with the ongoing protection and maintenance of the marine, land, and wildlife resources in the area. On balance, the proposed project (and the Open Space Plan) is the most protective of significant coastal resources.
Article 2: Public Access	
<p>30210. In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.</p>	<p>Implementation of the proposed project will create the opportunity for an unbroken, integrated, access system through 652 acres of consolidated permanently-preserved and restored open space, which will further public access to coastal resources. Consistent with LRDP policy 30221.1, the proposed student and faculty housing projects will contain recreational facilities and open space so as not to overburden oceanfront recreational areas. MM 4.10-1(a) ensures that the public can use campus recreational facilities, including recreation fields, when not occupied by University classes or programs; this would help alleviate some public use of the project's proposed open space areas. Consistent with LRDP policy 30210.2, public access to campus beaches from adjoining beaches and all stairway or pathway access routes mapped in Figure 26 in the 1990 LRDP and Figure 3.0 in the North and West Campus Housing LRDP Amendment will remain open to protect the permanent right of the public for pedestrian access and appropriate recreational uses of the beach at all times, except as provided for in policy number 30210.17. It also plans for necessary and improved access infrastructure, including the installation of a coastal stairway, repair and improvement of three access ramps, and the creation of new low profile improvements such as boardwalks to protect dune and wetland areas. Consistent with</p>

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Table 4.6-1. Project Consistency with the Coastal Act

Coastal Policies	Project's Consistency with Coastal Policies
	<p>LRDP policy 30253.3, the proposed project would not develop on the bluff face, except for staircases or access ways to provide public beach access and pipelines for instructional or research-oriented use. In addition, consistent with LRDP policy 30210.18 and as part of the proposed project's implementation of the Open Space Plan, the campus has cooperated with the County of Santa Barbara and the California Department of Parks and Recreation in the proposed expansion of the California Coastal Trail System, consistent with the environmental constraints of the Coastal Act. 8.18 miles of trails would be re-graded, ramp and trail surfaces would be improved, and scrub would be trimmed to widen trails. Existing chain link fences would be replaced with more attractive barriers or wood rail fencing, and where multiple informal trails exist, those trails would be closed, the public would be directed toward designated coastal access points, and habitat restoration would be conducted. The replacement of portable restroom facilities at Coal Oil Point with a new permanent facility, and the creation of interpretive centers for education of the public, all distributed in such a way as to minimize the impact of overcrowding. The proposed project also contemplates the construction and enhancement of informal seating and overlook areas at key points where desirable views exist. Consistent with LRDP policy 30210.7, the proposed project would provide 84 public parking spaces at four locations with no more than 20 public access spaces at Coal Oil Point. Development within the Coal Oil Point Reserve or on the dry sand beach would not occur as part of the proposed project (consistent with LRDP policies 30230.1 and 30235.2). Finally, highly visible coastal access direction and visitor interpretation signs would be installed.</p>

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Table 4.6-1. Project Consistency with the Coastal Act

Coastal Policies	Project's Consistency with Coastal Policies
<p>30211. Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.</p>	<p>The proposed project will contribute to the consolidation, permanent-preservation, and unbroken integrated access system through 652 acres of open space, which would otherwise be fragmented. Residential development and open space improvements would not interfere with public coastal access. Residential development would be concentrated in close proximity to urban and employment centers but over 0.5 mile from the coast. In addition, the proposed project would improve coastal access through improvement of approximately 8.18 miles of existing trails, 2) improvement of three existing beach access points, 3) installation of one new coastal access stairway, 4) provision of up to 84 public parking spaces, and 5) replacement of an existing portable restroom at Coal Oil Point.</p>
<p>30212. (a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where 1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources, 2) adequate access exists nearby, or 3) agriculture would be adversely affected. Dedicated accessway shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.</p>	<p>The proposed trail improvements would permit continued public access between the coast and nearest public roadways, including between Phelps Road and Marymount Way on the North Campus, Devereux Road on the West Campus, and Camino Majorca along the eastern edge of the West Campus. Proposed increases in public parking would expand public access at the western terminus of Phelps Road, south of Cameron Hall (off Devereux Road), at Coal Oil Point, and adjacent to Camino Majorca, near the community of Isla Vista. Implementation of MM 4.10-1(b) would subject public access to restriction only when public access is inconsistent with the following: a) public health or safety; b) natural disaster, civil disorders which pose a threat to property, or other such seriously disruptive events; c) extraordinary measures, which are required to immediately avert, alleviate, or repair damage to campus property, or to maintain the orderly operation of the campus; military security needs; d) protection of fragile coastal resources; and e) adequate nearby access.</p>
<p>(b) For purposes of this section, "new development" does not include:</p> <p>(1) Replacement of any structure pursuant to the provisions of subdivision (g) of Section 30610.</p> <p>(2) The demolition and reconstruction of a single-family residence, provided that the reconstructed residence shall not exceed either the floor area, height, or bulk of the former structure by more than 10 percent, and that the reconstructed residence shall be sited in the same location on the affected property as the former structure.</p>	<p>The proposed project would include construction of new housing; therefore, this section is not applicable to the proposed project.</p>

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Table 4.6-1. Project Consistency with the Coastal Act

Coastal Policies	Project's Consistency with Coastal Policies
<p>(3) Improvements to any structure which do not change the intensity of its use, which do not increase either the floor area, height, or bulk of the structure by more than 10 percent, which do not block or impede public access, and which do not result in a seaward encroachment by the structure.</p> <p>(4) The reconstruction or repair of any seawall, provided, however, that the reconstructed or repaired seawall is not seaward of the location of the former structure.</p> <p>(5) Any repair or maintenance activity for which the commission has determined, pursuant to Section 30610, that a coastal development permit will be required unless the commission determines that the activity will have an adverse impact on lateral public access along the beach.</p> <p>As used in this subdivision, "bulk" means total interior cubic volume as measured from the exterior surface of the structure.</p>	
<p>(c) Nothing in this division shall restrict public access nor shall it excuse the performance of duties and responsibilities of public agencies which are required by Sections 66478.1 to 66478.14, inclusive, of the Government Code and by Section 4 of Article X of the California Constitution.</p> <p>Sections 66478.1 to 66478.14, inclusive, of the Government Code, are reproduced in entirety following this table.</p> <p>Section 66478.1 declares the legislative intent for these sections of the Government Code, which are intended to implement Section 4 of Article X of the California Constitution insofar as Sections 66478.1 through 66478.10 are applicable to navigable waters.</p> <p>Section 66478.2 finds that the public natural resources of this state are limited in quantity, utilization of public natural resources will increase with population, and that real estate subdivisions may result in diminished public access to public natural resources.</p> <p>Section 66478.3 finds and declares that it is essential to the health and well-being of all citizens of this state that public access to public natural resources be increased and that it is the intent of the Legislature to increase public access to public natural</p>	<p>As Section 66478.1 identifies the intent of the following code provisions, no analysis of consistency is necessary.</p> <p>As Section 66478.2 recognizes the rarity of public resources and the potential for increased demand on such resources, no analysis of consistency is necessary.</p> <p>The proposed project will contribute to the consolidation, permanent-preservation, and unbroken integrated access system through 652 acres of open space, which would otherwise be fragmented. The proposed project would improve public access to coastal resources through 1) improvement of existing trails, 2) improvement of three existing beach access points, 3) installation of a new coastal access stairway, 4) provision of additional public parking, and 5) replacement of an existing portable restroom, and is therefore consistent with Section 66478.3 of the Government Code.</p> <p>The proposed project does not include the subdivision of any real property, and therefore Sections 66478.4 to 66478.14 of the Government Code are not applicable to the proposed project.</p> <p>The proposed project would not restrict or otherwise impede access to the Devereux Slough, and therefore is consistent with Section 4 of Article X of the California Constitution.</p>

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<p>resources.</p> <p>Sections 66478.4 to 66478.14 of the Government Code relate to the provision of public access when a local agency approves either a tentative or a final map of any proposed subdivision to be fronted upon a public waterway, river, or stream.</p> <p>Section 4 of Article X of the California Constitution states:</p> <p>“No individual, partnership, or corporation, claiming or possessing the frontage or tidal lands of a harbor, bay, inlet, estuary, or other navigable water in this state, shall be permitted to exclude the right of way to such water whenever it is required for any public purpose, nor to destroy or obstruct the free navigation of such water; and the Legislature shall enact such laws as will give the most liberal construction to this provision, so that access to the navigable waters of this state shall be always attainable for the people thereof.”</p>	
<p>30212.5. Wherever appropriate and feasible, public facilities, including parking areas or facilities, shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area.</p>	<p>The proposed project would provide up to 84 public parking spaces at four locations, at the western terminus of Phelps Road, south of Cameron Hall (off Devereux Road), at Coal Oil Point, and adjacent to Camino Majorca, near the community of Isla Vista. The proposed project will also provide a permanent restroom facility at Coal Oil Point. The improvement and closure of existing trails is intended to preserve public access to the coast, while reducing degradation of sensitive resources in the Open Space Plan area, providing for restoration, and providing multiple coastal access points, to reduce concentration of coastal visitors near the mouth of the Devereux Slough, which coincides with the protected habitat area for the snowy plover.</p>
<p>30213. Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.</p> <p>The commission shall not: (1) require that overnight room rentals be fixed at an amount certain for any privately owned and operated hotel, motel, or other similar visitor-serving facility located on either public or private lands; or (2) establish or approve any method for the identification of low or moderate income persons for the purpose of determining eligibility for overnight room rentals in any such facilities.</p>	<p>The proposed project would preserve most passive recreational opportunities within the Open Space Plan area, such as walking, jogging, bird and wildlife viewing, dog-walking, and bicycle riding, which would have no cost.</p>
<p>30214. (a) The public access policies of this article shall be implemented in a manner</p>	<p>The proposed project will contribute to the consolidation, permanent-preservation,</p>

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<p>that takes into account the need to regulate the time, place, and manner of public access depending on the facts and circumstances in each case including, but not limited to, the following:</p> <ul style="list-style-type: none"> (1) Topographic and geologic site characteristics (2) The capacity of the site to sustain use and at what level of intensity (3) The appropriateness of limiting public access to the right to pass and repass depending on such factors as the fragility of the natural resources in the area and the proximity of the access area to adjacent residential uses (4) The need to provide for the management of access areas so as to protect the privacy of adjacent property owners and to protect the aesthetic values of the area by providing for the collection of litter 	<p>and unbroken integrated access system through 652 acres of open space, which would otherwise be fragmented by development creating more difficult access limitations.</p> <p>The proposed project's improvements to public access consider site-specific concerns in the Ellwood-Devereux area.</p> <p>Access to the beach considers the topographic and geologic site characteristics by providing stairs from the bluff that would be designed in accordance with the site-specific features.</p> <p>The capacity of the site would considered through use of the National Park Services VERP (or similar) framework, which considers ecological and social conditions, rather than specified numbers of persons. The proposed project includes management actions to monitor conditions in the project area and implement the Carrying Capacity/VERP process.</p> <p>Public access is limited in areas of sensitive resources, including some trails through the COPR and COPR Expansion Area, and snowy plover habitat along the beach.</p> <p>Residential units would be provided entirely on University land. However, trails would be provided along the perimeter and in common open space areas of proposed residential development to protect privacy of these residences. Collection of litter would be provided through implementation of MM 4.15-7, which requires inclusion of the project area under the University's jurisdiction in a solid waste reduction and recycling program. Through this program, recycling and trash bins would be provided, ensuring collection of litter.</p>
<p>(b) It is the intent of the Legislature that the public access policies of this article be carried out in a reasonable manner that considers the equities and that balances the rights of the individual property owner with the public's constitutional right of access pursuant to Section 4 of Article X of the California Constitution. Nothing in this section or any amendment thereto shall be construed as a limitation on the rights guaranteed to the public under Section 4 of Article X of the California Constitution.</p>	<p>The proposed project will contribute to the consolidation, permanent-preservation, and unbroken integrated access system through 652 acres of open space, which would otherwise be fragmented. The proposed project would occur entirely on University land, and no public access would be granted or provided via any private property.</p>

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(c) In carrying out the public access policies of this article, the commission and any other responsible public agency shall consider and encourage the utilization of innovative access management techniques, including but not limited to, agreements with private organizations which would minimize management costs and encourage the use of volunteer programs.	The proposed project, part of the initial "Joint Proposal" for the Ellwood-Devereux area, is one component of a planning process that has brought together the three agencies—the City of Goleta, County of Santa Barbara, and the University—that have jurisdiction over the area into a cooperative planning process designed to cluster development away from sensitive resources and preserve open space. As a cooperative effort overseen by the Joint Review Panel, the project itself represents an innovative planning effort, within which the issue of access management, among other issues, is addressed. The concept of the Joint Review Committee that would manage the open space and access to this area over the long term represents a continuation of the unique planning approach to the area.
Article 3: Recreation	
30220. Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.	The project area includes a sandy beach area (Sands Beach) that is suited for water-oriented recreational activities such as passive sunbathing, surfing, swimming, and surf fishing. The proposed project does not propose any loss of these uses and would result in access and facilities improvements to enhance opportunities for use of the area.
30221. Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.	The proposed project will preserve the West Campus Bluffs from development as a faculty housing site. Present and foreseeable future demand for public recreational activities would be adequately provided for in the 300.4 acres of open space lands within the University's jurisdiction and the additional lands within the City and County's jurisdiction to create 652 acres of consolidated, permanent-preserved, open space adjacent to the ocean. The proposed project would result in development of approximately 40 acres of the University North Campus. Development would be clustered in locations furthest from the ocean, and access to adjacent recreational areas would be improved through trail improvements
30222.—Private Lands	Not Applicable
30222.5.— Aquaculture	Not Applicable
30223.—Upland areas	Not Applicable
30224.—Recreational boating use of coastal waters	Not Applicable

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Article 4: Marine Resources	
<p>30230. Marine resources shall be maintained, enhanced, and, where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.</p>	<p>The project does not propose any development directly in marine waters such as diking, dredging or filling. Marine resources in the project area are affected by discharges from the Devereux Slough. Runoff from the proposed project would not significantly affect water quality, as described under Impact 4.3-1, 4.3-3, 4.3-4, and 4.3-7 in the Hydrology and Water Quality (Section 4.3) of this EIR. The project includes restoration of open space areas, closure of informal trails and implementation of erosion control features within residential areas that will mitigate existing erosion problems and result in beneficial impacts associated with reduced sedimentation to the Devereux Slough. Surface runoff from areas of proposed development would be discharged through filtration systems to capture sediment and other contaminants, and directed through wetland areas prior to entering drainages upstream from Devereux Slough. Through project components and implementation of mitigation measures, marine resources would be enhanced and maintained. In addition, watershed management is proposed as part of the project, and implementation of the watershed management elements would enhance marine resources.</p>
<p>30231. The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface waterflow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.</p>	<p>The biological productivity and quality of the marine environment within and affected by the project area would be restored, enhanced, and maintained. These resources in the project area include coastal waters, Devereux Slough, Devereux Creek and its associated tributaries, and various wetlands throughout the site. Section 4.3 and 4.4 of this EIR analyze in detail the impacts to hydrology, water quality, and biological resources. These sections conclude that all impacts to these resources can be reduced to less-than-significant levels. An element of these conclusions includes the restoration of wetland habitat proposed on the South Parcel and West Campus Bluffs. Included among the means for maintaining and restoring these resources are restoration activities and erosion controls, the directing of runoff from residential areas through filtration systems to capture sediment and other contaminants, and wetland areas that would control runoff, promote groundwater infiltration, and ensure the maintenance of a natural vegetation buffer. No alteration of natural streams is proposed. The proposed project would use reclaimed water where feasible (where runoff from</p>

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	reclaimed water use in landscaping would not adversely affect nearby wetlands and sensitive habitat areas).
<p>30232. Protection against the spillage of crude oil, gas, petroleum products, or hazardous substances shall be provided in relation to any development or transportation of such materials. Effective containment and cleanup facilities and procedures shall be provided for accidental spills that do occur.</p>	<p>The proposed project does not propose any changes to the operation or use of facilities associated with the Ellwood Marine Terminal. Consequently, existing programs protecting against spills and programs identifying effective containment and cleanup procedures for accidental spill of substances associated with the facility would remain in effect. No development or transportation of crude oil, gas, petroleum products, or hazardous substances is proposed.</p>
<p>30233. (a) The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following:</p> <p>(1) New or expanded port, energy, and coastal-dependent industrial facilities, including commercial fishing facilities.</p> <p>(2) Maintaining existing, or restoring previously dredged, depths in existing navigational channels, turning basins, vessel berthing and mooring areas, and boat launching ramps.</p> <p>(3) In wetland areas only, entrance channels for new or expanded boating facilities; and in a degraded wetland, identified by the Department of Fish and Game pursuant to subdivision (b) of Section 30411, for boating facilities if, in conjunction with such boating facilities, a substantial portion of the degraded wetland is restored and maintained as a biologically productive wetland. The size of the wetland area used for boating facilities, including berthing space, turning basins, necessary navigation channels, and any necessary support service facilities shall not exceed 25 percent of the degraded wetland.</p> <p>(4) In open coastal waters, other than wetlands, including streams, estuaries, and lakes, new or expanded boating facilities and the placement of structural pilings for public recreational piers that provide public access and recreational opportunities.</p> <p>(5) Incidental public service purposes, including, but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines.</p>	<p>The proposed project will result in the filling or hydrological interruption of approximately 1.54 acres of Coastal Act wetlands and 1.29 acres of ACOE wetlands on the North and Storke-Whittier Parcels, most of which have low to medium functionality (WRA, 2004). Implementation of the Open Space Plan would result in the enhancement and restoration opportunities for numerous acres of wetlands, including vernal pools, freshwater marsh, saltwater marsh and riparian forest. With mitigation of the impacts associated with residential development, the proposed project would result in no net loss of wetlands. Residential use is not a use listed in Section 30233(a), and is not favored by the policies of Section 30233. Thus, the Project conflicts with the policies expressed in Section 30233(a). However, the project also proposes restoration of approximately 7.4 acres of wetland habitat on the South Parcel. No net loss of wetlands would occur. As discussed under Impact 4.4-3 under Biological Resources Section 4.4 of this EIR, the net effect on wetlands would be less than significant. Realignment, reengineering, and restoration of Phelps Ditch also implicate the policies of Section 30233. Phelps Ditch is a riparian area and is designated as an ESHA. However, it is a manmade flood control channel The proposed realignment and reengineering appears to be consistent with the policies of Section 30233 as a temporary impact relating to a public service purpose in accordance with Section 30233(a)(5). Notwithstanding its ESHA designation, Phelps Ditch is considered to have intermediate functionality as a habitat area (WRA, 2004). As part of the project, Phelps Ditch will be restored and enhanced.</p>

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<p>(6) Mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas.</p> <p>(7) Restoration purposes.</p> <p>(8) Nature study, aquaculture, or similar resource-dependent activities.</p>	
<p>(b) Dredging and spoils disposal shall be planned and carried out to avoid significant disruption to marine and wildlife habitats and water circulation. Dredge spoils suitable for beach replenishment should be transported for such purposes to appropriate beaches or into suitable longshore current systems.</p>	<p>The proposed project would remediate erosion and implement erosion controls that will mitigate future sedimentation resulting from existing conditions and uses. The proposed project would not result in any dredging or the deposition of spoils.</p>
<p>(c) In addition to the other provisions of this section, diking, filling, or dredging in existing estuaries and wetlands shall maintain or enhance the functional capacity of the wetland or estuary. Any alteration of coastal wetlands identified by the Department of Fish and Game, including, but not limited to, the 19 coastal wetlands identified in its report entitled, "Acquisition Priorities for the Coastal Wetlands of California," shall be limited to very minor incidental public facilities, restorative measures, nature study, commercial fishing facilities in Bodega Bay, and development in already developed parts of south San Diego Bay, if otherwise in accordance with this division. For the purposes of this section, "commercial fishing facilities in Bodega Bay" means that not less than 80 percent of all boating facilities proposed to be developed or improved, where such improvement would create additional berths in Bodega Bay, shall be designed and used for commercial fishing activities.</p>	<p>As discussed under Section 30233(a) above, the proposed project would result in the direct loss of 1.54 acres of Coastal Act wetlands and 1.29 acres of ACOE wetlands. Residential use is not a use favored by the policies of Section 30233, and would conflict with such policy. However, the filling of degraded wetlands of low to intermediate biological value for residential use on the North and Storke-Whittier Parcels creates the opportunity to preserve and consolidate 652 acres of contiguous open space and natural reserve and approximately 7.4 acres of wetland habitat on the South Parcel. <u>The proposed project would eliminate prevent</u> existing uses that conflict with Coastal Act policies, and would avoid piece-meal development under existing approved plans, policies and regulations. No net loss of wetlands would occur. As discussed under Impact 4.4-3 under Biological Resources Section 4.4 of this EIR, the net effect on wetlands would be less than significant.</p>
<p>(d) Erosion control and flood control facilities constructed on watercourses can impede the movement of sediment and nutrients which would otherwise be carried by storm runoff into coastal waters. To facilitate the continued delivery of these sediments to the littoral zone, whenever feasible, the material removed from these facilities may be placed at appropriate points on the shoreline in accordance with other applicable provisions of this division, where feasible mitigation measures have been provided to minimize adverse environmental effects. Aspects that shall be considered before issuing a coastal development permit for such purposes are the method of placement, time of year of placement, and sensitivity of the placement area.</p>	<p>The proposed project would modify a portion of Phelps Ditch to improve flood protection. The proposed modifications would include widening of the channel and bank stabilization. The existing natural channel bottom would be retained, thus permitting the continued delivery of sediments from upstream areas to the littoral zone via the Devereux Slough.</p>

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30234. Commercial fishing and recreational boating industries	No commercial fishing or recreational boating industries would be affected by the proposed project and this section is not applicable to the proposed project.
30234.5. The economic, commercial, and recreational importance of fishing activities shall be recognized and protected.	The proposed project would improve coastal access via trail improvements, beach access improvements, expansion of public parking and improvement of a restroom, which may expand recreational fishing opportunities along the adjacent coastline.
30235. Revetments, breakwaters, groins, harbor channels, seawalls, cliff retaining walls, and other such construction that alters natural shoreline processes shall be permitted when required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply. Existing marine structures causing water stagnation contributing to pollution problems and fishkills should be phased out or upgraded where feasible.	The proposed project would not result in any revetments, breakwaters, groins, harbor channels, seawalls, cliff retaining walls, or other such construction that alters natural shoreline processes.
30236. Dams or other substantial alterations of rivers and streams	Not Applicable
30237. Bolsa Chica wetlands	Not Applicable
Article 5: Land Resources	
30240. (a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.	The proposed project will require the filling of 1.54 acres of Coastal Act wetlands and 1.29 acres of ACOE on the North Parcel that are of limited productivity. Residential use is not a use favored by the policies of Section 30233 and would conflict with such policies. However, <u>the development of the North Parcel, which entails</u> the filling of degraded wetlands, Parcels creates the opportunity to preserve and consolidate open <u>space</u> and restore approximately 7.4 acres of wetland habitat on the South Parcel. No net loss of wetlands would occur. Realignment, reengineering, and restoration of Phelps Ditch also implicate the policies of Section 30240. Phelps Ditch is a riparian area and is designated as an ESHA. However, it is a manmade flood control channel. The proposed realignment and reengineering appears to be consistent with the policies of Section 30233 as a temporary impact relating to a public service purpose in accordance with Section 30233(a)(5). In addition, as part of its reengineering and realignment Phelps Ditch will be restored and enhanced as a riparian area. Although Phelps Ditch is designated as an ESHA, the riparian habitat along Phelps Ditch was

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	determined to be of intermediate functional value. (VRA, 2004) As discussed under Impact 4.4-3 under Biological Resources Section 4.4 of this EIR, the net effect on wetlands would be less than significant. The proposed project will provide for the preservation and enhancement of 652 consolidated acres of recreational, natural land, and marine environment resources, thereby contributing to the long-term vitality and sustainability of environmentally sensitive habitat areas. Potential development would be reduced. Future University and private residential development would be clustered adjacent to existing development and infrastructure, and employment centers, and away from environmentally sensitive resources. The proposed project provides for the opportunity to consolidate and permanently preserve the lower Devereux Creek watershed, also known as the greater Devereux Slough regional ecosystem. Development is presently allowed in various locations throughout the area. Under existing plans and regulations, existing uses that conflict with the Coastal Act would continue, and development may occur close to sensitive habitat areas and the most valued recreational lands, while less valuable lands are designated as open space. If development moves proceeds under existing plans, islands of development would fragment open space, disrupt coastal access, recreational use, and the overall ecosystem in the area, even taking careful planning and mitigation into account.
(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.	The proposed project has been sited and designed to prevent impacts from residential development to environmentally sensitive habitat areas. As discussed in Section 4.4 (Biological Resources), the proposed project would result in a less-than-significant impact to environmentally sensitive habitat areas, including wetlands.
30241 —Prime agricultural land	Not Applicable
30241.5 —Existing agricultural uses.	Not Applicable
30242 —Lands suitable for agricultural use	Not Applicable
30243 —Productivity of soils and timberlands	Not Applicable

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<p>30244. Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.</p>	<p>The proposed project would implement a range of mitigation measures related to protection of known archaeological or paleontological resources, and procedures when unknown resources are encountered during construction, restoration or management activities.</p>
<p>Article 6: Development</p>	
<p>30250. (a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.</p>	<p>The proposed project would result in development contiguous with existing developed areas. <u>The project</u> would be <u>located</u> adjacent to the existing roadways to the north and east, and as far from coastal resources as is possible on the project site. As described in Section 4.15 (Public Services and Utilities) of this EIR, public services and utilities would be available to serve the proposed project without significant environmental effects, with implementation of Mitigation Measures identified in this EIR.</p> <p>The proposed project would result in development on 23 of the 26.5 acres on the North Parcel and 10.7 of the 14.8 acres on the Storke-Whittier site, plus another 2.8 acres adjacent to the West Campus Family Student Housing complex. Development of the faculty housing on the North Parcel would result in an overall density of 10.3 units per acre, which is compatible with the density of between 6.5 units per acre and 12 units per acre on surrounding parcels. Development of the Storke-Whittier family student housing would result in an overall density of approximately 13<u>11.2</u> units per acre, which is compatible with the density of 18 units per acre at the adjacent existing Family Student Housing.</p>

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(b) Where feasible, new hazardous industrial development shall be located away from existing developed areas.	The proposed project does not include any hazardous industrial development.
(c) Visitor-serving facilities that cannot feasibly be located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.	The proposed project does not include any visitor-serving facilities.
30251. The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.	The proposed project considers and protects the scenic qualities of the area. The proposed project will provide for the preservation and enhancement of 652 consolidated acres of recreational, natural land, and marine environment resources; and will concentrate development adjacent to similar existing uses, thereby contributing to the long-term preservation and enjoyment of coastal views and vistas by recreational visitors to the Ellwood-Devereux area. Consistent with LRDP policy 30251.5, development of new housing would generally be compatible in scale and character with existing housing in the area and would entail clustered development. Alteration of natural landforms would be minimized by developing faculty housing only on the North Parcel, which is relatively level, rather than on the South Parcel, which is characterized by substantial topographic variation, including heights of some landforms that exceed the maximum heights of the proposed residential structures. In addition and consistent with LRDP policy 30253.3, no development is planned on the bluff face, except for staircases and access ways to provide public beach

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	<p>access. Views of the Santa Ynez Mountains (inland of the project site) from the prominent topographic features on the project site would remain dominant over adjacent development. The proposed project would develop residential structures up to 35 feet in height, consistent with LRDP policies 30251.6 and 30251.6(b). Development of residential structures would block, or eliminate views of the golf course and undeveloped lands from some streets, but scenic vistas would be preserved and enhanced throughout the 652 consolidate acres of natural open space with enhanced integrated access.</p> <p>Development on the Storke-Whittier property would occur inland of existing family student housing development and would be of a similar scale; consequently, no significant effect on coastal visual resources would occur.</p> <p>The inclusion of access improvements in the form of parking lots and trails would improve the availability of the scenic coastal resources to the public.</p>
<p>30252. The location and amount of new development should maintain and enhance public access to the coast by 1) facilitating the provision or extension of transit service, 2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, 3) providing nonautomobile circulation within the development, 4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, 5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by 6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of on-site recreational facilities to serve the new development.</p>	<p>As described above and in Section 3, the proposed project would improve coastal access through its contribution to creating 652 consolidated acres of natural open space along with 1) improvement of existing trails, 2) improvement of existing beach access points, 3) installation of a new coastal access stairway, 4) provision of additional public parking, and 5) replacement of an existing portable restroom. The proposed project would also balance access with protection of sensitive natural resources by closing some trail segments and providing naturalistic barriers to travel nearest the areas containing sensitive resources, as well as clear boundaries. Further, the faculty housing and family student housing would include recreational uses on site, and residents would have access to campus recreational facilities, which would meet the needs of new residents and ensure adjacent coastal recreation areas are not overloaded.</p>
<p>30253. New development shall:</p> <p>(1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.</p>	<p>As described in Section 4.2, Geology and Geologic Hazards, Impact 4.2-1 all mitigation measures related to geologic safety and stability would be implemented, and the proposed project would be required to comply with all applicable laws and regulations pertaining to geologic and seismic hazards, including the California Building Code and University Policy on Seismic Safety. Consistency with these laws and regulations would</p>

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	<p>ensure that site planning and building design minimize geologic and seismic risks to within acceptable levels.</p> <p>As described in Section 4.3, Hydrology and Water Quality, Impact 4.3-10, no development would occur within a 100-year flood zone.</p> <p>As described in Section 4.5, Hazards and Hazardous Materials, Impact 4.5-10, residential development would be adjacent to some areas with potentially high fuel loads. Implementation of fuel modification guidelines and access improvements in the open space area would improve access to suppress fires, if one were to occur. With implementation of Mitigation Measures, risks from fire hazards would be minimized.</p>
<p>(2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.</p>	<p>The proposed project includes restoration of eroded area and remediation of erosion problems. In addition, as described in Section 4.2, Geology and Geologic Hazards, Impact 4.2-2, erosional impacts during construction activities would be reduced to less-than-significant levels with the implementation of Mitigation Measures. On the North Parcel, the proposed project would be constructed mainly on relatively disturbed soils, and along with the planting of vegetation, may act to stabilize these areas in the long term.</p> <p>Geologic instability issues are related to bluff retreat on the West Campus Mesa and at Coal Oil Point. The project does not propose any structural development in this area. Ground disturbance in this area would be limited to trail improvements to the West Campus Bluffs Coastal Trail and bluff and beach stairs. Management actions such as the consideration of the siting of the bluff top trail with respect to the bluff edge are proposed in order to ensure that implementation of these improvements would not result in geologic instability. Protective devices that would substantially alter natural landforms along bluffs would neither be necessary, nor are they proposed.</p>
<p>(3) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Control Board as to each particular development.</p>	<p>Construction and operation of the proposed project would comply with the applicable requirements of the SBAPCD, as discussed more fully in Section 4.14 (Air Quality).</p>
<p>(4) Minimize energy consumption and vehicle miles traveled.</p>	<p>Through the siting of faculty and student housing at locations proximate to the campus, the length of daily vehicle trips would be reduced, as faculty and/or students would otherwise need to relocate at distances further from the campus. The provision of bicycle trail connections to portions of the campus would also encourage alternative</p>

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	transportation and reduce vehicle trips. The availability of regular transit between the residential sites and the Main Campus would also reduce vehicle trips generated by the proposed project. Finally, as described in Sections 4.14 (Air Quality) and 4.15 (Public Services and Utilities), the campus would implement Mitigation Measures and State laws related to energy conservation, including compliance with Title 24 requirements and other energy conservation measures.
(5) Where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.	The proposed project contributes to the opportunity to preserve a unique and irreplaceable recreational opportunity of an unbroken natural open-space area consisting of 652 acres adjacent to the coast. This special area is a popular visitor destination point for recreational uses. The proposed project would result in the expansion of the COPR by 40 acres and redesignation of the 68.7-acre South Parcel as open space. These land use amendments would protect the recreational uses of the site. The proposed project would result in the implementation of a management plan to protect the resources of these areas, along with adjacent open space lands within the University.
30254 —Public works facilities	Not Applicable
30254.5. Notwithstanding any other provision of law, the commission may not impose any term or condition on the development of any sewage treatment plant which is applicable to any future development that the commission finds can be accommodated by that plant consistent with this division. Nothing in this section modifies the provisions and requirements of Sections 30254 and 30412.	The proposed project does not include a sewage treatment plant or indirectly require any upgrade of a sewage treatment plant serving the project area.
30255. Coastal-dependent developments shall have priority over other developments on or near the shoreline. Except as provided elsewhere in this division, coastal-dependent developments shall not be sited in a wetland. When appropriate, coastal-related developments should be accommodated within reasonable proximity to the coastal-dependent uses they support.	The proposed project is part of a plan (the Open Space Plan for the Ellwood-Devereux Coast) to preserve an unbroken natural open-space area consisting of 652 acres adjacent to the coast – which is a coastal dependent development. Implementation of the proposed project requires that approximately 1.54 acres of Coastal Act wetlands and 1.29 acres of ACOE wetlands be filled. However, such wetlands are degraded and of limited biological productivity. The project also proposes restoration of approximately 7.4 acres of wetland habitat on site on the North Parcel and on the South Parcel. Realignment, reengineering and restoration of Phelps Ditch, a manmade flood control channel that is also designated as an ESHA, appears to be consistent with

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	the policies of Section 30233 as a temporary impact relating to a public service purpose in accordance with Section 30233(a)(5). In addition, as part of its reengineering and realignment Phelps Ditch will be restored and enhanced as a riparian area. Although a potential conflict with Section 30255 is presented with respect to the filling of such wetlands, no net loss of wetlands will occur and environmental impacts to wetlands will be less than significant.
Article 7: Industrial Development	The proposed project does not include any industrial development; therefore, the policies identified in this article are not applicable to the proposed project.
Government Code, Sections 66478.1 through 66478.14	
66478.1. It is the intent of the Legislature, by the provisions of Sections 66478.1 through 66478.10 of this article to implement Section 4 of Article X of the California Constitution insofar as Sections 66478.1 through 66478.10 are applicable to navigable waters.	
66478.2. The Legislature finds and declares that the public natural resources of this state are limited in quantity and that the population of this state has grown at a rapid rate and will continue to do so, thus increasing the need for utilization of public natural resources. The increase in population has also increased demand for private property adjacent to public natural resources through real estate subdivision developments which resulted in diminishing public access to public natural resources.	
66478.3. The Legislature further finds and declares that it is essential to the health and well-being of all citizens of this state that public access to public natural resources be increased. It is the intent of the Legislature to increase public access to public natural resources.	
66478.4. (a) No local agency shall approve either a tentative or a final map of any proposed subdivision to be fronted upon a public waterway, river, or stream which does not provide, or have available, reasonable public access by fee or easement from a public highway to that portion of the bank of the river or stream bordering or lying within the proposed subdivision.	
(b) Reasonable public access shall be determined by the local agency in which the proposed subdivision is to be located. In making the determination of what shall be reasonable access, the local agency shall consider all of the following:	
1) That access may be by highway, foot trail, bike trail, horse trail, or any other means of travel.	
2) The size of the subdivision.	
3) The type of riverbank and the various appropriate recreational, educational, and scientific uses, including, but not limited to, swimming, diving, boating, fishing, water skiing, scientific collection, and teaching.	
4) The likelihood of trespass on private property and reasonable means of avoiding these trespasses.	
(c) A public waterway, river, or stream for the purposes of Sections 66477.2, 66478.4, 66478.5 and 66478.6 means those waterways, rivers and streams defined in Sections 100 through 106 of the Harbors and Navigation Code, any stream declared to be a public highway for fishing pursuant to Sections 25660 through 25662 of the Government Code, the rivers listed in Section 1505 of the Fish and Game Code as spawning areas, all waterways, rivers and streams downstream from any state or federal salmon or steelhead fish	

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<p>hatcheries.</p> <p>66478.5. (a) No local agency shall approve either a tentative or a final map of any proposed subdivision to be fronted upon a public waterway, river, or stream which does not provide for a dedication of a public easement along a portion of the bank of the river or stream bordering or lying within the proposed subdivision.</p> <p>(b) The extent, width and character of the public easement shall be reasonably defined to achieve reasonable public use of the public waterway, river, or stream consistent with public safety. The reasonableness and extent of the easement shall be determined by the local agency in which the proposed subdivision is to be located. In making the determination for reasonably defining the extent, width, and character of the public easement, the local agency shall consider all of the following:</p> <ol style="list-style-type: none"> 1) That the easement may be for a foot trail, bicycle trail, or horse trail. 2) The size of the subdivision. 3) The type of riverbank and the various appropriate recreational, educational and scientific uses including, but not limited to, swimming, diving, boating, fishing, water skiing, scientific collection and teaching. 4) The likelihood of trespass on private property and reasonable means of avoiding these trespasses. <p>66478.6. Any public access route or routes and any easement along the bank of a public waterway, river, or stream provided by the subdivider shall be expressly designated on the tentative or final map, and this map shall expressly designate the governmental entity to which the route or routes are dedicated and its acceptance of the dedication.</p> <p>66478.7. Nothing in this article shall be construed to limit any powers or duties in connection with or affect the operation of beaches or parks in this state or to limit or decrease the authority, powers, or duties of any public agency or entity.</p> <p>66478.8. Nothing in Sections 66478.1 to 66478.10, inclusive, of this article shall require a local agency to disapprove either a tentative or final map solely on the basis that the reasonable public access otherwise required by this article is not provided through or across the subdivision itself, if the local agency makes a finding that the reasonable public access is otherwise available within a reasonable distance from the subdivision and identifies the location of the reasonable public access. The finding shall be set forth on the face of the tentative or final map.</p> <p>66478.9. Nothing in Section 66478.5 shall apply to the site of electric power generating facilities.</p> <p>66478.10. Nothing in Sections 66478.1 through 66478.10 of this article shall apply to industrial subdivisions.</p> <p>66478.11. (a) No local agency shall approve either the tentative or the final map of any subdivision fronting upon the coastline or shoreline which subdivision does not provide or have available reasonable public access by fee or easement from public highways to land below the ordinary high water mark on any ocean coastline or bay shoreline within or at a reasonable distance from the subdivision.</p> <p>Any public access route or routes provided by the subdivider shall be expressly designated on the tentative or final map, and the map shall expressly designate the governmental entity to which the route or routes are dedicated.</p> <p>(b) Reasonable public access, as used in subdivision (a), shall be determined by the local agency in which the subdivision lies.</p> <p>(c) In making the determination of what shall be reasonable public access, the local agency shall consider:</p> <ol style="list-style-type: none"> 1) That access may be by highway, foot trail, bike trail, horse trail, or any other means of travel. 	

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<p>2) The size of the subdivision.</p> <p>3) The type of coastline or shoreline and the various appropriate recreational, educational, and scientific uses, including, but not limited to, diving, sunbathing, surfing, walking, swimming, fishing, beachcombing, taking of shellfish and scientific exploration.</p> <p>4) The likelihood of trespass on private property and reasonable means of avoiding the trespass.</p> <p>(d) Nothing in this section shall require a local agency to disapprove either a tentative or final map solely on the basis that the reasonable public access otherwise required by this section is not provided through or across the subdivision itself, if the local agency makes a finding that the reasonable public access is otherwise available within a reasonable distance from the subdivision and identifies the location of the reasonable public access. The finding shall be set forth on the face of the tentative or final map.</p> <p>(e) The provisions of this section shall not apply to the final map of any subdivision the tentative map of which has been approved by a local agency prior to the effective date of this section.</p> <p>(f) The provisions of this section shall not apply to the final or tentative map of any subdivision which is in compliance with the plan of any planned development or any planned community which has been approved by a local agency prior to December 31, 1968. The exclusion provided by this subdivision shall be in addition to the exclusion provided by subdivision (e).</p> <p>(g) Nothing in this section shall be construed as requiring the subdivider to improve any access route or routes which are primarily for the benefit of nonresidents of the subdivision area.</p> <p>(h) Any access route or routes provided by the subdivider pursuant to this section may be conveyed or transferred to any state or local agency by the governmental entity to which the route or routes have been dedicated, at any future time, by mutual consent of such governmental entity and the particular state or local agency. The conveyance or transfer shall be recorded by the recipient state or local agency in the office of the county recorder of the county in which the route or routes are located.</p> <p>66478.12. (a) No local agency shall approve either the tentative or the final map of any subdivision fronting upon any lake or reservoir which is owned in part or entirely by any public agency including the state, which subdivision does not provide or have available reasonable access by fee or easement from public highways to any water of the lake or reservoir upon which the subdivision borders either within the subdivision or a reasonable distance from the subdivision. Any public access route or routes provided by the subdivider shall be expressly designated on the tentative or final map, and the map shall expressly designate the governmental entity to which the route or routes are dedicated and its acceptance of the dedication.</p> <p>(b) Reasonable access, as used in subdivision (a), shall be determined by the local agency in which the subdivision lies.</p> <p>(c) In making the determination of what shall be reasonable access, the local agency shall consider:</p> <p>1) That access may be by highway, foot trail, bike trail, horse trail, or any other means of travel.</p> <p>2) The size of the subdivision.</p> <p>3) The type of shoreline and the various appropriate recreational, educational, and scientific uses, including, but not limited to, swimming, diving, boating, fishing, water skiing, scientific exploration, and teaching.</p> <p>4) The likelihood of trespass on private property and reasonable means of avoiding the trespasses.</p>	

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(d) Nothing in this section shall require a local agency to disapprove either a tentative or final map solely on the basis that the reasonable access otherwise required by this section is not provided through or across the subdivision itself, if the local agency makes a finding that the reasonable access is otherwise available within a reasonable distance from the subdivision and identifies the location of the reasonable public access. The finding shall be set forth on the face of the tentative or final map.	
(e) The provisions of this section shall not apply to the final map of any subdivision the tentative map of which has been approved by a local agency prior to the effective date of this section.	
(f) Any access route or routes provided by the subdivider pursuant to this section may be conveyed or transferred to any state or local agency by the governmental entity to which the route or routes have been dedicated, at any future time, by mutual consent of the governmental entity and the particular state or local agency. The conveyance or transfer shall be recorded by the recipient state or local agency in the office of the county recorder of the county in which the route or routes are located.	
66478.13. No local agency shall issue any permit or grant any approval necessary to develop any real property which is excluded from regulation under this division as a subdivision pursuant to subdivision (d) of Section 66426 because such property is in excess of 40 acres and was created as such a parcel after December 31, 1969, when such property fronts on the coastline or a shoreline, unless it finds that reasonable public access has been provided from public highways to land below the ordinary high-water mark or any ocean coastline or bay shoreline or any water of a lake or reservoir upon which the real property fronts. "Reasonable public access" as used in this section shall be determined by the local agency in which the real property lies. In making such determination the local agency shall use the same criteria as those set forth in subdivisions (c) and (d) of Section 66478.11 and subdivisions (c) and (d) of Section 66478.12.	
66478.14. Nothing in this article shall be construed as requiring the subdivider to improve any route or routes which are primarily for the benefit of nonresidents of the subdivision area or nonowners of the real property in question.	

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The Goleta Community Plan. While lands under the University's jurisdiction are not subject to the GCP, the University has based the proposed LRDP Amendment on the County of Santa Barbara's existing and approved plans and standards to ensure continued consistency with the Coastal Act requirements and Coastal Commission approval. Relevant GCP policies and development standards are discussed below

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GCP – Policy LU-GV-2. Future growth and development shall occur in a manner that minimizes construction-related impacts on the community.

Compatibility Analysis. The potential for short-term construction impacts resulting from implementation of the proposed project are analyzed as part of this EIR. The campus would implement mitigation measures where feasible to reduce construction impacts in a manner that minimizes construction related impacts on the community. **Compatible with Plan.**

The following policies are specific to the West Devereux area identified in the GCP. This area encompasses the North Campus area, the Ellwood Marine Terminal, and the Coal Oil Point Expansion area.

GCP – Policy LUDS-GV-2. The entire West Devereux Specific Plan area shall have a maximum build-out of 409 units. The existing Ocean Meadows Golf Course shall be designated PD 58 and zoned PRD 58. The remainder of the site, excluding the golf course, shall be designated PD 351 and zoned PRD 351. All development within the Specific Plan area shall comply with the following development standards:

Compatibility Analysis. The project proposes a total of 387 units, which falls within the previously identified maximum buildout of 403 units for the area (formerly referred to as the West Devereux Specific Plan area) in the GCP. The campus would retain the designation for 50 units of faculty housing on the West Campus, for a total of 437 units on the North and West Campuses. The proposed project would result in additional units north and east of the golf course in areas where they would, on balance, have the least impact on sensitive coastal resources. At the same time, the proposed development in these areas is consistent with development intensity in adjoining areas. Consistent with LRDP policy 30250(a).2, the proposed residential developments (due to their proximity to the Ocean Meadows Golf Course) would be compatible with adjoining uses by not placing sensitive uses (i.e., child care, tot lots, etc.) in areas exposed to the flight of errant golf balls. The proposed project is compatible with the intention to permit development in the area consistent with the protection of coastal resources. The purpose of this analysis of the proposed project's relationship to GCP Policy LUDS-GV-2 and Development Standards LUDS-GV-2.1 through 2.15 is to evaluate that consistency. **Compatible with Plan.**

GCP – DevStd LUDS-GV-2.1. This development standard applies to retaining the golf course in its present use, rather than residential, and requires a transfer of development credits for any use other than golf course or for open space, habitat restoration, and other passive public open space uses.

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Compatibility Analysis. The proposed project would not effect the land use designation on the Ocean Meadows Golf Course. **Compatible with Plan.**

GCP – DevStd LUDS-GV-2.2. A maximum of up to 122 units may be constructed south of the existing golf course.

Compatibility Analysis. The project proposes no development of dwelling units south of the golf course. **Compatible with Plan.**

GCP – DevStd LUDS-GV-2.3. This standard requires the University to coordinate its site planning with the County for the West Devereux Specific Plan area so as to be consistent, to the fullest extent feasible, with the Santa Barbara coastal program, as required by PRC §30605. This coordination shall include planning for the location of roads and structures and indicate the amount and location of open space for habitat preservation and public recreation, including the location and design of public trails and public access parking.

Compatibility Analysis. The proposed project will be implemented through an amendment to the University's LRDP, and, therefore, as a University project, the LRDP amendment is not within the jurisdiction of the County of Santa Barbara and would supersede any existing LCP that applies to the site. As a land use plan amendment to the LRDP However, the project proposes land use designations and implementing standards that are similar to but would supersede any existing LCP that applies to the site the GCP in order to ensure consistency with Coastal Act requirements and existing Coastal Commission approvals. The proposed project includes the approximate location of roads, open space, recreation, trails, and parking, as indicated in the development standard, in addition to the location of housing development. PRC §13549 provides for a Notice of Impending Development review and Coastal Commission approval process, which is functionally equivalent to County specific plan requirements. The University is a participant on the Joint Review Panel (JRP), which is composed of representatives from the University, City of Goleta, and County of Santa Barbara. Through the Joint Review Panel (JRP), development and management of the Ellwood Coast, including site planning of proposed residences under the University's jurisdiction, is being coordinated among the relevant lead agencies for the area. **Compatible with Plan.**

GCP – DevStd LUDS-GV-2.4. This standard requires that all new residential development shall be confined to those areas primarily north of the existing Ellwood Marine Terminal access road. Vehicular access to residential areas south of the golf course shall be from Phelps Road. The design of this access road shall be coordinated with that for any development on the Ellwood Beach-Santa Barbara Shores Specific Plan area to the west.

Compatibility Analysis. The proposed project locates all development north of the existing Venoco Access Road. As no residential areas are proposed south of the golf course, no access to this area via Phelps Road or otherwise is provided. **Compatible with Plan.**

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GCP – DevStd LUDS-GV-2.5. A maximum of 409 residential units may be constructed within the Specific Plan boundaries, with a minimum of 25 percent to be affordable to persons of low or moderate income consistent with the policies of the County’s Housing Element. *Section 4.6
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Compatibility Analysis. The proposed project would result in the development of a total of 387 residential units. Because it will occur on University property, the proposed project is not subject to the County of Santa Barbara's Housing Element. Nevertheless, objectives of the proposed project include the provision of housing to meet the demands of faculty and students with families. As such, housing prices in for-sale units proposed to be constructed would be anticipated to fall within the range expected for low to moderate income housing prices in the area. **Compatible with Plan.**

GCP – DevStd LUDS-GV-2.6. A minimum of 50 percent of the site (exclusive of the existing golf course and the areas developed with oil facilities) shall be retained in public and common open space. At a minimum, areas dedicated as public open space shall include the dry sandy beach, the dune, and back dune area extending between the University preserve to the east and the Ellwood Beach parcel to the west, and appropriate areas along the proposed trail system.

Compatibility Analysis. The proposed project would designate 300.4 acres of the 394-acre project area, or approximately 75.4 percent of the North and West Campuses, as open space and natural reserve. This Open Space Plan component of the proposed project would contribute to the creation of 652 consolidated acres of preserved and restored open space and natural reserve, improve trails, close informal trails, add and repair coastal accessways, impose management controls, designated sensitive areas, and provide educational and directional signage. These actions would create an open space preserve park-like area. The designated open space areas would include the dry sandy beach, West Campus Bluff and South Parcel within the University's property. **Compatible with Plan.**

GCP – DevStd LUDS-GV-2.7. This standard required the preparation of a habitat and open space management plan, coordinated with interested agencies, (e.g., the University, CDFG, RWQCB, Coastal Commission) prior to the processing of any residential development applications. Specifications for the plan include long-term management and enhancement of the site's open space and design of a trail system. This plan should be created to complement and coordinate with other appropriate management practices in the adjacent COPR, or that may occur as a result of development on the Southwest Diversified/Santa Barbara Shores property, or as part of the overall Management Plan for a Devereux Slough Ecological Preserve.

Compatibility Analysis. The proposed project would implement the Joint Proposal through an amendment to the UCSB LRDP and an Open Space and Habitat Management Plan. Thus, the University has participated in the preparation of a comprehensive open space plan to guide the long-term management and enhancement of the project's open space areas. The Open Space Plan has been developed as part of a coordinated effort among the University, City of Goleta, and County of Santa Barbara. Implementation of the Open Space Plan would require consultation with the Natural Reserve Committee, the CDFC, the ACOE, and the RWQCB. The Open Space Plan includes specifications for the long-term management and enhancement of the site, and designation of a trail system. The plan would complement management practices at the COPR. **Compatible with Plan.**

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Section 4.6 **GCP – DevStd LUDS-GV-2.8.** Attractive fencing around the dune area shall be provided to restrict horses, offroad vehicles, and mountain bikes. Signs shall also be posted informing the public of the fragility of the area and requesting that they keep off the dunes.

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Compatibility Analysis. The project proposes to fence and vegetate the perimeter of the entire 40-acre open space area that is being dedicated to the COPR Expansion Area, including the sensitive dune and back dune areas. Signs would be posted to inform the public of the reason for restricting access to the area. In addition, some informal trails would be closed to restrict horses, off-road vehicles, and mountain bikes for restoration purposes. **Compatible with Plan.**

GCP – DevStd LUDS-GV-2.9. This standard requires the development of an informal trail system that uses the existing trails system and is consistent with the protection of ESH areas and the recommendations of the Open Space Plan. At a minimum, this trail system shall provide for access to the site and through the site to the beach from both Phelps and Storke Roads, with a small parking area for 20 cars provided off Phelps Road near the northwest corner of the site. The design of this trail system shall be coordinated with that of Ellwood Beach to the west, to ensure that at least one continuous trail links the properties. A revegetated drainage course and open space buffer, which could include the existing ephemeral drainage and/or other physical access restrictions (e.g., walls, fences, etc.), consistent with the recommendations of the Open Space Plan, shall be provided along the southern boundary of the area developed in residential uses in order to direct public access onto the trail system and limit other impacts of residential development on ESH areas.

Compatibility Analysis. The Open Space Plan would result in a trail system that uses some of the existing trails, and results in trail closures in order to protect sensitive habitat, including ESHs. The trail system would provide access to and through the site from both Phelps and Storke Roads to the beach. A small parking area for 14 cars would also be provided off Phelps Road near the northwest corner of the site. The design of the trail system is part of a coordinated effort among the University, City of Goleta, and County of Santa Barbara. There would be at least one continuous trail linking the University property to the Ellwood Mesa and the former Santa Barbara County Parks Property. The development standard calls for a revegetated drainage course and open space buffer along the southern boundary of the area to be developed with residential uses. Based on the configuration of the proposed development that would be confined to the North Parcel and Sierra Madre site, there are no opportunities for revegetation of a drainage course along the southern boundary of this development. However, the proposed project includes habitat restoration on the South Parcel, including riparian restoration in that area. The South Parcel would also provide a buffer between proposed residences and sensitive habitat further south, in the COPR Expansion Area. In addition, the residential development on the North Parcel would be designed to include a trail system that would direct public access to the trails and restrict access to sensitive habitat areas. As such, the proposed project would achieve the objectives of this development standard, which include provision of trails, closure of some other informal trails for restoration purposes, and protection of sensitive habitat. **Compatible with Plan.**

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GCP – DevStd LUDS-GV-2.10. To the maximum extent feasible, vegetation consisting of drought tolerant and other native species shall be used for landscaping to screen development from public use areas and to create a buffer from ESH areas. Landscaping shall be designed to complement, enhance, and restore native habitats on site. **Section 4.6
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Compatibility Analysis. Mitigation Measure 4.4-2(f) requires the proposed project to use native plant species in all open space areas outside the designated development areas and native species and other drought tolerant species as much as feasible within the development areas. Mitigation Measure 4.9-3(h) requires the use of native plantings to screen development from the two public access corridors along the western boundary of the site and along the existing Venoco Access Road. **Compatible with Plan.**

GCP – DevStd LUDS-GV-2.11. This standard requires the installation and maintenance of public improvements for a period of at least five years.

Compatibility Analysis. This development standard was originally formulated to ensure that private developers would implement required public improvements and mitigation measures. The University, which operates as an independent jurisdiction, does not provide performance securities to other jurisdictions to ensure compliance with mitigation requirements. The MMRP would monitor and track implementation of Mitigation Measures in order to ensure their execution. This development standard is not relevant to the proposed project.

GCP – DevStd LUDS-GV-2.12. Natural building materials and colors compatible with the surrounding terrain shall be utilized on all exterior surfaces of all structures, including fences.

Compatibility Analysis. MM 4.9-3(g) requires the use of building materials and colors that are compatible with the surrounding landscape. Natural building materials are recommended where practical. **Compatible with Plan.**

GCP – DevStd LUDS-GV-2.13. The West Devereux Specific Plan shall provide for a minimum 200-foot buffer between the north side of the existing Venoco Access Road traversing the property and any permitted development north of the access road; this buffer shall be maintained as open space, and shall be revegetated with appropriate native plant species. Additionally, this standard requires that the riparian habitat along Devereux Creek within the Ocean Meadows Golf Course shall be restored as part of the development of either the Ocean Meadows Golf Course or the development of the University's North Campus Parcel.

Compatibility Analysis. The project does not propose development on the South Parcel. Development on the North Parcel would be a minimum of 1,600 feet from the north side of the Venoco Access Road. The Open Space Plan includes policies and standards addressing the revegetation of the South Parcel, which would include the portion of the site identified as the buffer area in this development standard. **Compatible with Plan.**

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Section 4.6 **GCP – DevStd LUDS-GV-2.14.** The Ellwood Marine Terminal facilities shall be removed upon termination of the current operation, and the natural habitat values of the site shall be restored to a condition approximating those which existed prior to the initial construction of the facilities.

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Compatibility Analysis. MM 4.4-2(e) requires the termination of oil company operations at the Ellwood Marine Terminal at the end of the current lease in 2016. The 17.5-acre leasehold area is planned to be restored to a condition approximating its natural condition prior to the initial construction of the facilities. **Compatible with Plan.**

GCP – DevStd LUDS-GV-2.15. This standard requires coordination between the planning efforts for the West Devereux Specific Plan area with the Santa Barbara Shores/Ellwood Beach area to ensure maximum protection of Devereux Creek, the Devereux Slough, and the adjacent upland and marine habitats.

Compatibility Analysis. The proposed project would implement the Open Space Plan through an amendment to the UCSB LRDP. Thus, the University is a member of the Joint Review Panel (JRP), which is composed of representatives from the University, City of Goleta, and County of Santa Barbara. Through the JRP, development and open space planning among the three jurisdictions is being coordinated. This joint effort includes the preparation of the Open Space Plan, the document that would ensure maximum protection of Devereux Creek, the Devereux Slough, and the adjacent upland and marine habitats. **Compatible with Plan.**

Santa Barbara County Association of Governments, Regional Growth Forecast 2000. The SBCAG published a Regional Growth Forecast in 2001, and adopted the report February 21, 2002. The RGF analyzes growth expectations and trends from 2000 to 2030 for population growth, employment, and housing. The report makes a set of nine recommended policies. While these policies have not been formally adopted, the University considers project compatibility with the relevant policies that were recommended in the Regional Growth Forecast document. Three of the nine policies apply to the proposed project and are analyzed as follows:

RGF – Recommended Policy 5. The Cities of Santa Barbara and Carpinteria, the University, and the County should continue to address the regional implications of additional employment in the South Coast area on the regional housing market and cities in the South Coast and north county area. The region needs to examine the impacts of high housing costs and aging workforce on the ability to sustain employment growth and accommodate increasing long distance commutes.

Compatibility Analysis. This policy is directly addressed by the proposed project, which seeks to provide additional housing for faculty and married students through residential development. As analyzed in Section 4.16 (Population and Housing), the University faces increasing difficulty in recruiting competitive faculty and graduate students because of housing availability and cost travails. The proposed project seeks to partially alleviate some of the local

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demand for housing by existing faculty, to-be-hired faculty, and students. **Compatible with Plan.** Section 4.6
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RGF – Recommended Policy 6. Due to the long-term jobs and housing imbalance, local and state jurisdictions in the South Coast should consider concurrent phasing of new commercial, retail, industrial development with residential development to be consistent with a balance of jobs and housing.

Compatibility Analysis. As analyzed in Section 4.16 (Population and Housing), the University will be hiring additional faculty over the next decade, mainly to replace retiring faculty, most of whom are expected to remain in the area. The proposed project directly addresses the need for additional housing to balance jobs. **Compatible with Plan.**

RGF – Recommended Policy 8. Local agencies are encouraged to use techniques to improve inter-jurisdictional coordination. Such techniques may include, but are not limited to, joint City-County planning commission meetings, joint City-County specific plans, and regular referral of environmental reports and plans to adjoining agencies.

Compatibility Analysis. The proposed project would implement the Open Space Plan through an amendment to the UCSB LRDP. Thus, the University is a member of the Joint Review Panel (JRP), which is composed of representatives from the University, City of Goleta, and County of Santa Barbara. Through the JRP, development and open space planning among the three jurisdictions is being coordinated. This joint effort includes the preparation of the Open Space Plan, which would ensure maximum protection of the coastline within all three jurisdictions. **Compatible with Plan.**

Santa Barbara County Air Pollution Control District, Revised 2001 Clean Air Plan. The SBCAPCD is directly responsible for regulating local sources of air pollution within Santa Barbara County. It has responded to this requirement by preparing a series of Clean Air Plans (CAPs). The most recent of these, the Revised 2001 CAP, was prepared in conjunction with the SBCAG, and was adopted by the Governing Board of the SBCAPCD on December 19, 2002. The CAP was prepared to comply with the federal and state Clean Air Acts and amendments, to accommodate growth, to reduce pollutant levels in the County, to apply for attainment status with the federal one-hour ozone standard, to meet federal and state air quality standards, and to minimize the fiscal impact that pollution control measures have on the local economy.

The CAP documents attainment with the federal 1-hour ozone standard and includes application for redesignation of attainment. As part of the application process, the SBCAPCD must provide a plan that documents how attainment was achieved and how it will be maintained. Principal control measures of the CAP focus on adoption of new regulations or enhancement of existing regulations for stationary emissions, continued implementation/facilitation of transportation control measures as part of a Memorandum of Understanding (MOU) between the SBCAPCD

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Section 4.6 and SBCAG, and adoption of land use planning policies based on Smart Growth principles,
Land Use including higher density, transit-accessible, infill projects.

One measurement tool to determine a project's consistency with the CAP is to consider how a project accommodates the expected increase in population or employment. Generally, if a project is planned in a way that results in the minimization of vehicle miles traveled (VMT) both within the project and the community in which it is located, and consequently the minimization of air pollutant emissions, that aspect of the project would be consistent with the goals and policies of the CAP.

The proposed project will contribute to the fulfillment of the CAP goals by providing affordable new faculty family student housing in a region where such resources are inadequate and by siting such housing proximate to the main campus and surrounding community. Faculty and student housing on the North Campus will be within shuttle bus, walking, or bicycling distance to classes and academic offices and laboratories, which will reduce overall VMT and, thus, reduce mobile source emissions. The University encourages accommodation and use of other transit modes, including bicycles, and provides a campus shuttle bus line that would be extended to the proposed faculty housing and family student housing to further reduce emissions. These campus policies are consistent with the goals of the CAP for reducing the emissions associated with new development.

The necessary mitigation measures would reduce the potentially significant impacts related to emissions generated during construction and operation. Based on this information, the proposed project is consistent with the Revised 2001 CAP.

RWQCP, Water Quality Control Plan (Central Coast Basin Plan). Consistency with the Clean Water Act (CWA) is demonstrated through compliance with the NPDES permit process (Phase I and Phase II), as well as all regulations promulgated by the SWRCB and RWQCBs. Responsibility for the protection of water quality in California rests with the SWRCB and nine RWQCBs.

The Central Coast Basin Plan, implemented by the Central Coast RWQCB, specifically: 1) designates beneficial uses for surface and ground waters, 2) sets narrative and numerical objectives that must be attained and maintained to protect the designated beneficial uses and conform to the state's anti-degradation policy, and 3) describes implementation programs to protect all waters in the region. In cases where the Basin Plan does not contain a standard for a particular pollutant, other criteria are used to establish a standard. The project area is in the Devereux Creek Watershed; runoff in this watershed flows from the foothills downstream and ultimately through the project site via natural tributaries of Devereux Creek, which empties into the Devereux Slough and the ocean. The project site is not situated over the Goleta Groundwater Basin and thus is not required to follow any specifically designated water quality objectives. The University is required to comply with all applicable water quality requirements established by the SWRCB and the Central Coast RWQCB. In addition, implementation of the proposed project would be in accordance with the NPDES permit process regulated by the

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RWQCB, as described below. Thus, point and nonpoint source discharges would be regulated by the appropriate NPDES permits, and the beneficial uses of the surface water and groundwater basin would be maintained. Therefore, project implementation would be consistent with the Basin Plan and the Porter-Cologne Water Quality Control Act (which establishes the SWRCB and each RWQCB as the principal state agencies for having primary responsibility in coordinating and controlling water quality in California).

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The NPDES permit system was established in the CWA to regulate both point source discharges (a municipal or industrial discharge at a specific location or pipe) and nonpoint source discharges (diffuse runoff of water from adjacent land uses) to surface waters of the United States. The NPDES program consists of 1) characterizing receiving water quality, 2) identifying harmful constituents, 3) targeting potential sources of pollutants, and 4) implementing a Comprehensive Stormwater Management Program (CSWMP). The reduction of pollutants in urban stormwater discharge to the MEP through the use of structural and nonstructural BMPs is one of the primary objectives of the NPDES program, including Phase I and Phase II. These phases are described below, followed by a consistency analysis. Consistency with Phase I and Phase II of the NPDES results in consistency with the overall NPDES program.

Construction activities such as grading and excavation of areas larger than one acre would require a Phase I (General Construction Activity Stormwater Permit) permit (as revised by the March 2003 Phase II requirements). In accordance with this requirement, the University would obtain Phase I permits for all applicable elements of the proposed project.

For project development consistent with the Phase I permit, the University would eliminate or reduce nonstormwater discharges to stormwater systems, develop and implement a SWPPP, and perform inspections of stormwater control structures and pollution prevention measures. Erosion control plans in compliance with NPDES requirements would be prepared prior to construction of individual project elements. These measures would ensure consistency with NPDES Phase I and would reduce erosion and downstream soil deposition. Therefore, the proposed project would be in compliance with NPDES Phase I requirements.

New NPDES Phase II stormwater regulations were finalized and issued by the EPA in January 2000 in an effort to continue to preserve, protect, and improve the nation's water resources from polluted stormwater runoff. These new regulations are designed to implement programs to control urban stormwater runoff from additional municipal separate storm sewer systems (MS4s) in urbanized areas and operations of small construction sites that were not already covered by Phase I NPDES permits. The main objectives of the Phase II regulations are to 1) reduce, to the maximum extent possible, the amount of pollutants being discharged, and 2) protect the quality of the receiving waters.

To meet this goal, the permittee must implement a Stormwater Management Program that addresses six minimum control measures, including: 1) public education and outreach, 2) public participation/involvement, 3) illicit discharge detection and elimination, 4) construction site stormwater runoff control for sites greater than 1 acre, 5) post-construction stormwater

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Section 4.6 management in new development and redevelopment, and 6) pollution prevention/good
Land Use housekeeping for municipal operations. These control measures would be addressed by developing BMPs, as discussed in Section 4.3 (Hydrology and Water Quality). The University applied for a NPDES Phase II permit in and completed a SWMP in 2003 and must be in full compliance with the elements of the Plan within five years of the date the permit is issued.

The proposed project would be consistent with the Central Coast Basin Plan, the NPDES Program, and all other relevant regulations promulgated by the SWRCB and the Central Coast RWQCB.

Airport Land Use Plan. As discussed in the setting, to ensure public safety and land use compatibility between a Santa Barbara County airport and the surrounding areas, the Santa Barbara County ALUP imposes land use restrictions on defined areas adjacent to airports. The North Parcel faculty housing site lies within the ALUP's Safety Area 2 (Approach Zone). The proposed faculty housing would include single-family and multi-family units in the form of duplex and triplex units. These uses would be located beyond one mile of the existing and future runway end. The ALUC review process is applicable to projects under the jurisdiction of the ALUC; however, under California law, the University is not subject to ALUC jurisdiction.

Single-family dwellings are considered compatible in the Approach Zone, and development of single-family units would conform to the land use guidelines of the ALUP. ~~Multi-family dwellings are not considered a compatible use within the Approach Zone under the ALUP. Multi-family uses may be deemed compatible in the Approach Zone if more than one mile from the runway end. Footnote 2 of Table 4-1 of the ALUP provides that the use is subject to ALUC review for compatibility if more than one mile from the runway end.~~ However, multi-family housing currently exists within Safety Area 2 in the project vicinity, including residences northwest of the Phelps Road and Cannon Green intersection, and although multi-family use will result in there presence of more residents in the area (relative to single family residences), if properly designed multi-family residences present no greater threat to air safety operations than single family homes.

Although it contains multi-family residences, the proposed project does not conflict with other requirements for the Approach zone, such as height restrictions (which directly addresses the safety of air operations) or noise restrictions. Height limitations vary based on the proximity of the site to the runway, and are based on the FAR Part 77. Structures 35 feet in height within the Approach Zone are compatible with FAR Part 77 requirements. As discussed more fully in Section 4.13 (Noise), all portions of North and West Campuses are located outside of the limits of the 60 dBA CNEL contour for the Santa Barbara Airport. Thus, occupants of the new residential structures would not be exposed to excessive noise levels associated with aircraft operations. ~~Thus~~In addition, no safety-related hazards would exist as a result of the development of multi-family residential structures within the Approach Zone. As the University is not subject to the ALUP requirements, and the multi-family dwellings present no significant airport safety operational issues, the ~~inconsistency of multi-family residential dwellings with the ALUP would be project would result in a less-than-significant impact.~~

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The proposed project would be consistent with the California Coastal Act policies that apply to the site. The proposed project would also be compatible with the GCP, which formerly governed land use and development of the site. ~~Although the faculty housing portion of the project on the North Parcel would not be consistent with the ALUP, as the University is not subject to the ALUP requirements, and the proposed multi-family component of the faculty housing project presents no inherent greater safety risk, and this impact would be less than significant. Although the project is not subject to ALUC review, it is consistent with all ALUP policies pertaining to noise, safety, and height, resulting in a less-than-significant impact.~~

4.6.4 Cumulative Impacts

The geographic context for the analysis of land use impacts is the County of Santa Barbara, which includes the City of Santa Barbara, the City of Goleta, and the University, including all cumulative growth therein, as represented by full implementation of the County of Santa Barbara General Plan, the City of Santa Barbara General Plan, the City of Goleta General Plan, the UCSB Long Range Development Plan, and all approved or potential projects identified in Table 4.1-1.

It is anticipated that development of the identified related projects and general regional growth will be reviewed for consistency with adopted and applicable land use plans and policies, in accordance with the requirements of CEQA, the state Zoning and Planning Law, and the state Subdivision Map Act, all of which require findings of plan and policy consistency prior to approval of entitlements for development. For this reason, cumulative impacts associated with inconsistency of future development with adopted plans and policies would be less than significant.

The proposed project is consistent with and will implement all land use programs, regulations, and policies for the area, with the exception of specific policies of the Coastal Act (30233 and 30255 of Chapter 3 of the Coastal Act).

Implementation of the broader policy, expressed by the Legislature in Section 30007.5 of the Coastal Act, of concentrating development in close proximity to urban and employment centers is more protective, overall, than specific wildlife habitat and other similar resource policies expressed in Chapter 3 where conflicts have been identified. ~~because of The proposed project presents the opportunity to prevent-eliminate existing uses which that conflict with the policies of the Coastal Act;~~ the opportunity to avoid piece-meal development under approved plans, policies, and regulations that would conflict with policies of the Coastal Act; and the irreplaceable opportunity of preserving and restoring an integrated coastal open space ecosystem, and its attendant access and recreational opportunities. Moreover, implementation of Section 30007.5's broader policy of concentrating development in close proximity to urban and employment centers will prevent uncoordinated development and the fragmentation and long-term degradation of 652 acres of contiguous open space and natural reserve, to be preserved in perpetuity, and reduce development with the ongoing protection and maintenance of the marine,

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Section 4.6 land, and wildlife resources in the area. On balance, the proposed project (and the Joint
Land Use Proposal) is the most protective of significant coastal resources.

The proposed project, in combination with projects throughout the County, will result in a general increase in population and use intensity and would specifically add to an existing long-term trend of increased public use, access, and activities in the Open Space Plan area. However, it will reduce and avoid disturbances to sensitive habitats and general deterioration of the recreational resources through the implementation of a wide variety of mitigation measures outlined in this EIR. For example, implementation of the Open Space Plan management actions would result in permanent preservation and restoration of 652 acres of consolidated open. Habitat restoration, improved trail and coastal access, trail maintenance, closure of informal trails and interpretive/educational signs, and trailhead information would be provided to improve and preserve habitats and habitat linkages, maintain and improve public coastal access and recreation, and increase public awareness and appreciation of natural, cultural, and recreational resources, thus diminishing the risk of unintentional or intentional deterioration of these resources. While there are potential inconsistencies with the Coastal Act, the proposed project balances protection of the most significant coastal resources on a contiguous open space parcel, while concentrating development in close proximity to the developed areas of Goleta and Santa Barbara County, which results in an environmentally sensitive development that achieves many of the overall goals of the Coastal Act, including preservation and enhancement of environmentally sensitive habitats, protection and expansion of public access to the shoreline, protection of the scenic beauty of coastal landscapes and seascapes, the establishment of urban-rural boundaries by directing new housing and other development into areas with adequate services to avoid wasteful urban sprawl and leapfrog development, and protection against loss of life and property from coastal hazards. As a result, the proposed project's contribution to cumulative impacts associated with land use inconsistency would not be considered cumulatively considerable, and would, in fact, provide a beneficial contribution to the region.

4.6.5 References

The following is a list of references for this subsection. Please refer to Section 9.0 for the master reference list.

California Coastal Commission. 1976 (as amended, June 2003) California Coastal Act Policies. Public Resources Code § 30000-30900.

Caltrans. 1976.

City of Goleta, County of Santa Barbara, University of California, Santa Barbara. 2004. Ellwood-Devereux Coast Open Space and Habitat Management Plan. March.

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<http://www.sbcag.org/RegionalPlanning/RegionalGrowthForecast/RGFFinalReport.pdf>
- University of California, Santa Barbara (UCSB). 1990. 1990 Long Range Development Plan (Final). Prepared by Seduray Cooke Associates and Richard Morehouse Associates with technical assistance from Latham and Watkins and EIP Associates. September.
- Wallace, Roberts & Todd. 1997. University of California, Santa Barbara. North & West Campus Housing LRDP Amendment, Environmental Impact Report. Pages 3.11-5 to 3.11-7.